

CHARLES BOYLE, 4TH EARL OF ORRERY, 1674-1731

BY LAWRENCE BERKLEY SMITH, JR.

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...mankind is running mad, or else there could not be found such numbers of men wanting in a due regard for their religion, Queen & country. What ends do they purpose? Is it money? And will that be secured to them under an arbitrary popish government, or can a man of sense & good estate think to better himself by a change? BL, Add. MS 47027, f. 92. Daniel Dering to Perceval, Dublin, 10 April 1714.

'Surely there will be no great occasion for the future for the parsons to preach up the vicissitude of human affairs, at least not to this generation, they see enough of it.'

HMC, *Portland*, vii, 218. Thomas Stratford to Lord Harley, 16 Dec. 1716, Oxford.

The months following the termination of Orrery's embassy in Brussels were one of the most crucial phases in modern British History. The long conflict over the Spanish Succession had reached its terminus with the realisation of the Oxford ministry's 'common cause', the defeat of France. Ironically among its most enduring and beneficial contributions from 1710 to 1714, the peace had lent popularity to the Tory ministry and was largely responsible for the triumph in the general election of 1713. Nevertheless, a new 'common cause' which by 1714 was every bit as significant--individual political survival in the uncertainty of a new sovereign's reign--became the principal objective for Orrery, as well as his political allies and adversaries.

Despite its diplomatic achievements, by late 1713 Orrery's break with the Tory ministry which he had assisted in attaining power, was irrevocable. Numerous factors contributed to the critical decision to sever his ministerial ties. Disappointed over the ministry's ingratitude, 'neglect', and empty promises of further recompense for his services, at odds with it over its handling of affairs in Brussels, the related deterioration of Orrery's friendship with Bolingbroke, and Orrery's strong ties to Argyll and his followers, who were in open opposition by 1713, combined to cause him to abandon his brief flirtation with the Tory Party and return to the familiar and secure ground of a Whig moderate. This decision was manifested in a momentous division hinging on an issue no less momentous than the Protestant Succession itself, which saw Orrery openly oppose his former friends in the ministry. Although it averted disaster, the government's slim margin of victory in the division, much like the Sacheverell trial which brought the Tories to power in 1710, rendered it a symbolic defeat.

After Queen Anne's death in August 1714, George I's arrival and the months following his accession witnessed political turmoil in the form of a redistribution of power and a scramble for places and profits. The first few years of the first Hanoverian's reign were equally

crucial for Orrery's career. He too was caught up in this rush for offices and posts, and a few months after George I's accession, Orrery found himself handsomely rewarded for his recently-adopted Hanoverian sympathies with court and military appointments and he briefly enjoyed the greatest influence and the most lucrative places of his entire career. As in previous stages in his career, his friend and patron Argyll exerted considerable influence which was probably responsible for the greatest portion of this royal bounty.

Political skeletons in Orrery's closet and the march of events, however, lent insecurity to his position. The Jacobite rebellion launched in Scotland in 1715 designed to restore the exiled 'Old Pretender', James Stuart, spread panic throughout Britain. Just as several conspiracies thereafter and a similar full-fledged rebellion led by the Pretender's son, Bonnie Prince Charlie, in 1745, the 1715 attempt was mismanaged and ultimately unsuccessful. The omnipresent spectre of Jacobitism supplied Whig ministers with the perfect propaganda instrument and enabled them to maintain firm control of the British government.<sup>1</sup> Espoused by the disgruntled and the radicals in the Tory ranks, and with a popularity grossly exaggerated by the Whigs for political ends, Jacobitism was rendered almost synonymous with Toryism, leaving the Whigs free to establish a monopoly upon the award and retention of offices and persecute Tories and other figures associated with Oxford's ministry. Orrery's reputation as an adherent of the Oxford ministry left him extremely vulnerable to Whig recriminations. His opportunism, mutable party allegiance, and his predominant devotion to self-interest rather than principle all made him suspect. Nevertheless, his loyalty to the Protestant Succession was evidently genuine up until 1716, when it was tainted because of his associations with Argyll. Thus, the time Orrery spent basking in the glorious light of the favour of the court at St. James proved ephemeral, ending less than two years after George I's accession, when Orrery was alienated by partisan vendettas and overt suspicions of his past partially resulting from an internal power struggle within the Whigs themselves.

This internecine division was alleviated fairly soon, however, and the Whigs' domination of British politics which followed lasted for 50 years. In this domination's nascent stages, Orrery, along with Tories and some of the former ministry's allies, experienced the brunt of the Whigs' persecution. Unlike some who eventually restored their political fortunes, Orrery became politically doomed as a result of his former ties under the previous sovereign. Thus, in a few years Orrery went from a court insider and favourite to the political outcast which

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<sup>1</sup>This is the principal theme of Paul S. Fritz, *The English Ministers and Jacobitism between the Rebellions of 1715 and 1745* (Toronto: University Press, 1975).

he remained until his death. Ironically, charges of regimental improprieties against him may have been simply a manifestation of Whig recrimination much like the Tory cashiering of the three officers in 1710 which had supplied Orrery with such great benefits.

# I

Orrery's return to Britain following the termination of his embassy marks the beginning of another portion of his career for which there is very little extant correspondence and hence little evidence for examining his activities. It is fortunate, therefore, that Orrery again plunged immediately into the dramatic political world which so characterised the final years of Queen Anne's reign and that his political activities can at least be charted. Even so, Orrery's undocumented, behind-the-scenes activities during this period were perhaps equally significant. A combination of factors produced the final wedge which drove him permanently outside the ranks of the Oxford ministry's supporters. One centred upon his relationship with Bolingbroke. Orrery may have felt somewhat indebted for permission allowing his return, but his friendship with the erratic Secretary of State underwent a gradual, albeit pivotal transformation in the summer of 1713 which is partly illuminated by the Secretary's highly critical letters discussed in the previous chapter. Other incidents hastened their friendship's decline as well, principally a comradeship more enduring than Orrery's ties to Bolingbroke: his affinity for his fellow soldier-diplomat, Argyll. The separate Spanish command which Argyll had been 'rewarded' with in 1711 produced effects equally disastrous to his purse and to his military career.<sup>2</sup> The cessation of hostilities in 1712 brought his return to Britain, and soon thereafter he and Orrery first revealed hints of their parliamentary opposition. With the war concluded and Marlborough in self-imposed exile on the Continent, Argyll's military influence was less important to Oxford than it had been previously. Insufficient appeasement was offered to Argyll in the appointments to the Governorships of Port Mahon and Minorca.

Argyll's discontent was far from isolated. Disillusion had spread among the Scottish camp for several additional reasons, among them a closely contested government victory in passing an extension of the Malt Tax in May 1713. Although beneficial for ministerial

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<sup>2</sup>See above, Ch. 4, p. 131. Parliament voted a supply of over £1,000,000 for Argyll's campaign, but only a fraction of that amount was ever dispatched and he was forced to raise £10,000 on his own personal credit just to feed his men; see the extracts from his letters in Dalton, *George the First's Army*, i, 1-9; and the sources cited above p. 131, n. 149.



prestige, this parliamentary victory, perceived as prejudicial to the Scottish economy, ignited anew the flames of anti-Union sentiment,<sup>3</sup> which Argyll and Ilay actively fanned by leading the opposition to the Tax in the Lords.<sup>4</sup> Along with Balmerino, Kilsyth, and several other Scots peers, they lodged a protest after the government's victory by seven votes.<sup>5</sup> As the summer progressed Argyll and Ilay grew increasingly hostile for other reasons.<sup>6</sup> The pension Argyll was promised as enticement to accept the Spanish command had been largely unpaid,<sup>7</sup> causing him to launch an orchestrated attack on the ministry in order to obtain his due.<sup>8</sup> Another issue was Oxford's rejection of Ilay, in favour of Mar, as Secretary of State for Scotland. Argyll was further alienated after the return of three Jacobites in the Scots peerage elections in 1713.<sup>9</sup> Another observer explained that Argyll had become Oxford's sworn enemy because the Scottish duke was 'incapable of Dissembling'.<sup>10</sup> By the time of Orrery's return from Flanders the chasm had widened beyond repair. Observers noted that Argyll and other Scots lords had 'fallen off from the Court interests',<sup>11</sup> and were now 'entirely into the Whig Party' and willing to combine their efforts with any group determined to oppose Oxford.<sup>12</sup> This defection was all the more significant because by mid-1713 Oxford increasingly saw Court Whigs such as Orrery, Tories loyal to the Hanoverian Succession, and malcontent

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<sup>3</sup>NLS, MS 25276, ff. 65-66. The Malt Tax crisis of June 1713 is explored in depth in Szechi, *Politics*, pp. 129-32.

<sup>4</sup>SRO, GD45/14/352/19, 22; *PH*, vi, 1216-18; D. Szechi, ed., *Letters of George Lockhart of Carnwath, 1698-1732* (Edinburgh: Scottish History Society, 1989), pp. 74-83.

<sup>5</sup>Sainty and Dewar, unpaginated division list table; *Complete Collection of Protests* (1745 edition), pp. 168-69; *PH*, vi, 1216-21. Proxies played a crucial role in deciding the issue, with a total of 41 cast on both sides. The last four years of Anne's reign saw more proxies used than any other between the Tudor period and 1733. For this and their use see J.C. Sainty, 'Proxy Records of the House of Lords, 1510-1733', *Parliamentary History*, i (1982), 161-65; Sainty and Dewar, p. 17; Holmes, *British Politics*, pp. 45-46, 307-09.

<sup>6</sup>Bodl., MS Rawlinson A-286, ff. 413-15.

<sup>7</sup>Jones, 'Scheme Lords', p. 164, estimates that Argyll received roughly half of his pension during 1712-13; BL, Egerton MS 2543, f. 384, is an account of arrears due to Anne's pensioners on Lady Day and mid-summer 1714 and shows Argyll's as paid up.

<sup>8</sup>BL, Add. MS 31144, f. 458.

<sup>9</sup>Riley, *The English Ministers and Scotland*, p. 240; Jones, 'Scheme Lords', p. 132; but cf. Szechi, p. 157, who describes these representative peers as 'virtually all' placemen.

<sup>10</sup>BL, Add. MS 47087, f. 62; cf. the similar comment made in 1711 by Orrery himself in HMC, *Portland*, v, 100.

<sup>11</sup>BL, Add. MS 47027, f. 37v; *idem*, printed in J. Rand, ed., *Berkeley and Percival: The Correspondence of George Berkeley afterwards Bishop of Cloyne and Sir John Percival, afterwards Earl of Egmont* (Cambridge: University Press, 1914), p. 119, letter dated 2 June 1713.

<sup>12</sup>HMC, *Portland*, ix, 298-99. Oxford reputedly intended to sack Argyll from all his offices after the Malt Tax debate but did not want to 'martyrise' him: Wodrow, *Analecta*, ii, 224, 275.

office seekers all beginning to distance themselves from the court.<sup>13</sup>

Orrery resumed regular attendance in the Lords on 2 July and attended sittings for the session's duration until Parliament was dissolved on 8 August.<sup>14</sup> His voting activity in the Grants Resumption Bill of 1712, and the Hamilton Peerage debate a year earlier,<sup>15</sup> suggests that had he been present, rather than anxiously awaiting permission to leave Brussels, he would have cast his lot with his Scottish friends earlier. At the time of the Grants Bill Orrery was not listed among doubtful court supporters.<sup>16</sup> In the vote on the French Commerce Bill of 13 June 1713, a measure which was described as universally opposed 'except for those entirely in the Court interest',<sup>17</sup> Orrery was counted among peers expected to support the court.<sup>18</sup> This designation implies that his proxy vote, which Bolingbroke used regularly up to June 1713,<sup>19</sup> was, despite his assurances,<sup>20</sup> probably applied in a manner contrary to Orrery's wishes and the manner that he would have voted if present.<sup>21</sup>

Orrery's repeated, troublesome requests to return to England in early 1713 have been shown to signify the beginnings of the rupture between him and Bolingbroke.<sup>22</sup> After his return Orrery's perception of neglect of his 'private affairs' and failure to promote his interest were heightened. Perhaps as early as 1712, Orrery had coveted the court sinecure of Treasurer of the Household,<sup>23</sup> held from 1707 to 1713 by the whig Viscount Cholmondley,<sup>24</sup> who

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<sup>13</sup>Jones, 'Scheme Lords', p. 139.

<sup>14</sup>*LJ*, xix, 593, and 594-616. It had been prorogued 11 times in the summer and autumn of 1712.

<sup>15</sup>Above, Ch. 4, pp. 128-30, 141.

<sup>16</sup>Jones, 'Scheme Lords', pp. 153-54, table based upon this list in: BL, Add. MS 70332, n.f.

<sup>17</sup>Huntington Library, Stowe MS ST57, ix, 124.

<sup>18</sup>Argyll was among those who was expected to oppose the bill: see BL, Add. MS 70331, n.f. Oxford's estimate of voting on the French Commerce Bill, c. 13 June 1713; Jones, 'Scheme Lords', pp. 153-55, the table compiled based upon this list; also listed in Jones and Hayton, *Lists*, p. 47; and discussed in Holmes, *British Politics*, pp. 422-23.

<sup>19</sup>Orrery sent Bolingbroke at least three proxies in Feb. 1713, one of which was left blank to be used at his discretion: see his letters to Orrery, dated 20 Jan. and 3 Feb., in PRONI, T.3074/1/29, 32-33; both of which are printed in 'St. John-Orrery Letters, 1712-1713', pp. 359-60; cf. PRO, SP 77/62/74.

<sup>20</sup>PRONI, T.3074/1/94-95; printed in *Bol. Corr.*, iii, 492, 6 March 1713.

<sup>21</sup>This hypothesis can not be positively verified, in part because the proxy books for this session are missing. Those wielding proxies were obligated to respect the views of the peer they voted for, yet it was virtually unheard of for a proxy to be cast in opposition to the way the proxy holder himself voted, and it seems extremely unlikely that Bolingbroke would himself cast Orrery's vote against the ministry; *Nicolson Diary*, p. 607; Sainty and Dewar, pp. 12-13; Sainty, 'Proxy Records', p. 165.

<sup>22</sup>See above, Ch. 6, pp. 239-40.

<sup>23</sup>In August 1712 Orrery mentioned to Oxford 'the worthless character of that creature that at present walks about with the staff we talked of'. Since he was then attempting to procure his

was removed in April 1713 for objecting to part of the Queen's speech in a Privy Council meeting and opposing the Commerce Treaty.<sup>25</sup> Orrery's incessant reminders of his private affairs coincide with Bolingbroke's announcement of Cholmondley's dismissal and his allusions that Orrery might receive the post.<sup>26</sup> When Parliament re-convened and Cholmondley was instead replaced with Bolingbroke's friend Lord Lansdowne,<sup>27</sup> the die was cast. Orrery's alienation escalated to the point where Bolingbroke's professions of friendship, Oxford's opinion of Orrery as one 'who acts upon a principle', and speculations of 'contrivances' to advance Orrery's career were insufficient to retain the loyalty of someone who certainly understood the importance of the role he had performed in March 1710. The direct result was that Orrery ignored his friend's pleas to avoid a 'separate scheme' and was drawn increasingly towards the Opposition.<sup>28</sup>

Even if vain, ambitious, and impulsive--doubtless traits of many of his aristocratic counterparts--Orrery had in his own eyes proved himself a diligent, dutiful public servant, and (at least up until 1712) a dedicated adherent of the court party. Aspects of his temperament and his conspicuous distaste for the pell-mell combat and danger of the political jungle have been mentioned. Despite an apparently sincere indifference towards 'posts of great honour or profit' and his professed desire to avoid 'squabbles' where one's behaviour was always misrepresented as 'malicious' so he could enjoy the peace more conducive to his 'natural bent of temper',<sup>29</sup> Orrery found himself in late 1713 confronted by a dilemma of past and future loyalties. Racked by dissension and the rivalry and machinations of Oxford and Bolingbroke, the Tory Party was rapidly splintering into court, Jacobite and Hanoverian factions which soon proved its undoing.<sup>30</sup> Like many of his fellow countrymen, Orrery had to

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diplomatic arrears, Orrery may have been referring to the Chancellor of the Exchequer, Lord Bingley; for the letter see HMC, *Portland*, v, 216.

<sup>24</sup>*Complete Peerage*, iii, 201-02. Cholmondley has been classified as a court Whig who deserted Godolphin in 1710: BL, Add. MS 31143, ff. 557-58; Holmes, *British Politics*, p. 227.

<sup>25</sup>He was dismissed the next day: *Wentworth Papers*, p. 330; Oldmixon, *History*, 516. Cholmondley was one of the few remaining Whigs in the Privy Council at the time of his dismissal; Holmes, *British Politics*, pp. 227-28; and Szechi, *Politics*, p. 128.

<sup>26</sup>PRO, SP 77/62/175-76, 18 May 1713, N.S.; *idem*, copy in OPH, MS Eng. 218.1, i, 177-79.

<sup>27</sup>Lansdowne's appointment was announced in mid-August: see Huntington Library, Stowe MS ST57, ix, 169; KD, No. 113a, ff. 176-77.

<sup>28</sup>BL, Add. MS 37209, f. 156; *Bol. Corr.*, iv, 287-89, 18 Sept. 1713; and a copy in PRONI, T.3074/1/91-95.

<sup>29</sup>HMC, *Portland*, v, 369. Orrery to [Oxford], 3 Dec. 1713; see the more lengthy quotation above, Ch. 6, p. 250.

<sup>30</sup>The Tories' disintegration in 1714 can be traced in Geoffrey S. Holmes, 'Harley, St. John and the Death of the Tory Party', in *idem*, ed., *Britain after the Glorious Revolution, 1689-*

weigh the potential consequences of his loyalties in the context of their relationship with the Hanoverian Succession looming on the horizon. He intimated that his eagerness for another diplomatic assignment was motivated by his wish to remain outside these partisan squabbles, which would also enable him to postpone a decision about his political future. Bolingbroke and Oxford's combined efforts to return Orrery to the fold seem a case of too little and too late,<sup>31</sup> and their unwillingness to provide him with this avenue of escape effectively determined his decision to reject the ministry and return to the moderation from whence he had veered in 1710. The factors contributing to Orrery's critical decision to sever links with the Oxford ministry, then, can be said to include: his strong ties to Argyll and the Scottish peers the duke influenced in the Lords; Orrery's differences with the ministry's handling of affairs in Brussels; his deteriorating friendship with Bolingbroke; and, finally, his perception of ministerial ingratitude and 'neglect' of his private affairs.

If ministerial slights precipitated Orrery's defection, his opposition activity did not begin abruptly in December 1713. Rather, the decisive shift in political affiliations was a more subtle process and Orrery was probably contemplating alignment with opposition elements soon after returning from Brussels. The Tory Party's modern historian identifies these beginnings as slightly later and corresponding with the dismissal of 'that dangerous and jealous politician, Argyll', who 'had gone into opposition, and with his brother Islay and Lord Orrery...was discussing with the volatile Shrewsbury, schemes for a remodeled Administration'.<sup>32</sup> This statement's reliability is enhanced by the fact that it is based on evidence from someone whose business would have been to keep the opposition under surveillance. Oxford's 'Account of Public Affairs' related that in the parliamentary session which began in April 1713 'a combination was set on foot against the next [?]<sup>33</sup> [by the] Dukes of Shrewsbury, Argyll; Earls of Orrery, Ilay, Anglesey; Bolingbroke; Hanmer, &c.'<sup>34</sup> Along with Lord Abingdon, Arthur Annesley, 5th Earl of Anglesey,<sup>35</sup> had led the attack on the

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1714 (London: St. Martins, 1969), pp. 216-35; and Dickinson, *Bolingbroke*, pp. 130-49.

<sup>31</sup>See Oxford's urgent memo dated 6 Dec. 1713 reminding himself to write Orrery in BL, Add. MS 70332, n.f.

<sup>32</sup>Feiling, *Tory Party*, p. 448.

<sup>33</sup>Mutilated. The MS original in BL, Add. MS 70033, n.f., appears to read 'Reslui\_\_\_'.

<sup>34</sup>HMC, *Portland*, v, 467; also cited in Bennett, *Atterbury*, pp. 165-66. Cf. HMC, *Portland*, vii, 189.

<sup>35</sup>Holmes, *British Politics*, pp. 278-79, describes Anglesey as an eloquent but erratic and unscrupulous High-Church Tory. After succeeding to his title in 1710, Anglesey had at various times coveted the Lord Lieutenancy of Ireland and the white staff of the Treasury. He was rumoured as a potential replacement for both Oxford and Bolingbroke. Anglesey's brother-in-law

Commerce Bill in June 1713. Anglesey, like Argyll, was described as 'ambitious and covetous' and 'bold of speech'. Their respective followings posed the principal threat to Oxford's management of the Lords during the early months of 1714.<sup>36</sup>

Orrery's link to Shrewsbury is quite plausible. In some ways similar politicians, timid, unpredictable, preferring to shun party factiousness, neither possessed the audacity of an Argyll which is the mettle of a leader. Shrewsbury had undergone numerous party changes, from Williamite, to Jacobite, and finally, to Hanoverian.<sup>37</sup> Furthermore, Orrery had ingratiated himself with Shrewsbury by procuring military favours for his Italian brother-in-law.<sup>38</sup> Considering that Shrewsbury set out to take up his appointment as Lord Lieutenant of Ireland in September 1713,<sup>39</sup> Oxford's cryptic reference about Shrewsbury, Orrery and others suggests that Orrery was probably involved in opposition activities by July 1713.<sup>40</sup> When the new Parliament convened in 1714,<sup>41</sup> knowledge of Orrery's defection was widespread. In February 1714 the Hanoverian envoy in England, Baron Schütz, an astute eyewitness of events in this critical session, delighted in reporting the Lord Treasurer's dwindling influence:

Oxford has done everything in his power to be reconciled with the Duke of Argyle, and entreated Lord Orrery to be always his [Oxford's] friend, promising to him, that he would keep himself very quiet in Parliament, and do prejudice to none; but both the one and the other continued firm, without giving him the smallest hopes.<sup>42</sup>

The disenchantment Argyll and Orrery shared, along with Argyll's scathing temper and notorious disrespect for superiors, resulted in his provocation of Oxford for the final time

John, 3rd Baron Ashburnham, another adherent of the Hanoverian Tories, was bitter at Oxford over an ignored request for an earldom: *Complete Peerage*, i, 135, 272; Bodl., MS North c.9, f. 74; AECF 251, f. 263.

<sup>36</sup>Bodl., MS North c.9, ff. 5-6; BL, Add. MS 47087, f. 62.

<sup>37</sup>*The Life and Character of the Duke of Shrewsbury* (Dublin: Thomas Hume, 1718); Nicholson and Turberville, p. 229: 'his career is a strange mixture of certitude and resolute action and other periods of weakness and hesitancy'; cf. HMC, *Portland*, vii, 189; and F. Elrington Ball, ed., *The Correspondence of Jonathan Swift, D.D.* (6 vols., London: G. Bell & Sons, 1910-12), i, 325-26. Swift to Archbishop William King, 20 May 1712; and *ibid*, ii, 179. Charles Ford to Swift, 15 July 1714.

<sup>38</sup>For Orrery's intercessions on Paleotti's behalf see BL, Add. MS 22212, f. 3. Orrery to Fernando Paleotti, London, 22 July 1712; BL, Add. MS 37209, ff. 71-72, 113-14; and above, Ch. 5, p. 195, n. 266; and Ch. 6, p. 236, n. 153.

<sup>39</sup>*Wentworth Papers*, pp. 353-55; Nicholson and Turberville, p. 196.

<sup>40</sup>It is interesting to note that Orrery was in possession of Shrewsbury's proxy when the latter succumbed to his final illness early in 1718: HLRO, MS Proxy Book, vii, proxy dated 11 Jan. 1718.

<sup>41</sup>The new Parliament first met 11 Nov. 1713, and was prorogued several times until 16 Feb. 1714. Orrery was present in the Lords not only on the opening session in February, but in the sparsely attended sessions when the prorogation orders were issued; *LJ*, xix, 618-19.

<sup>42</sup>BL, Stowe MS 226, ff. 175-77. Schütz to Bothmar, 16 Feb. 1714, O.S.; and *idem*, translated and printed in *Original Papers*, ii, 564. Oxford's attempts to canvass the support of Orrery and Ilay are proven by his unfoliated list dated 20 March 1714 in BL, Add. MS 70332.

when he was dismissed from his sinecures and military employments,<sup>43</sup> an event which caused great concern among men such as Orrery and Strafford.<sup>44</sup> For his own part Orrery's 'firmness' was exemplified most profoundly in his support for the opposition in the spring of 1714. Somewhat ironically, a crucial vote in which he openly backed the ministry's enemies marked the end of debates originating as a response to a motion by Oxford concerning issues which were inextricably linked to the Hanoverian Succession.

During the final year of Anne's reign the policies of the German Electorate of Hanover inevitably began to obtrude increasingly upon British politics.<sup>45</sup> Hanoverian support in Parliament underwent a dramatic augmentation as disgruntled Tory moderates in both houses who held steadfast to the ideology of upholding the Protestant Succession came to be called Hanoverian Tories. Labelled the 'Whimsicals' by Bolingbroke, the group's size was somewhat mutable, fluctuating according to the issue at hand. In the Commons they were led by Sir Thomas Hanmer,<sup>46</sup> sometime president of the October Club, a social group with Tory opposition sympathies named after its favourite ale,<sup>47</sup> while in the Lords the Hanoverian Tories were directed by two influential peers with grievances against the ministry: the firebrand Nottingham, and the outspoken Anglesey.<sup>48</sup>

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<sup>43</sup>Mar's intentionally snide letter dismissing Argyll from all of his posts is dated 30 March 1714, and found in SRO, GD24/5/75. For a court insider's detailed account of Argyll's dismissal see BL, Add. MS 31144, f. 458.

<sup>44</sup>BL, Add. MS 37209, f. 174. Strafford to Orrery, The Hague, 8 May 1714, N.S. Several colonels were forced to sell their commissions at the time of Argyll's dismissal; for this and the reaction to the shake-up in the army see: Boyer, *Political State*, vii, 263-64; *Misc. State Papers*, ii, 522; and BL, Add. MS 31139, f. 78.

<sup>45</sup>For the impact of the Succession issue on British politics during this period see J.H. and Margaret Shennan, 'The Protestant Succession in English Politics, April 1713-September 1715', in Ragnhild M. Hatton and J.S. Bromley, eds., *William III and Louis XIV: Essays, 1680-1720, by and for Mark A. Thomson* (Liverpool: Liverpool University Press, 1968), pp. 252-70.

<sup>46</sup>Sir Henry Bunbury, *The Correspondence of Sir Thomas Hanmer, Bart., with a Memoir of His Life* (London: Edward Moxon, 1838), pp. 13-16. Hanmer also had much in common with Orrery. Cautious and reserved, he had studied at Christ Church under Dr. Robert Freind and patronised literature. For this and his political activities see the above and: James Alexander Manning, *The Lives of the Speakers of the House of Commons* (London: George Willis, 1851), pp. 423-31.

<sup>47</sup>For the Club and the Hanoverian Tories see Dickinson, *Bolingbroke*, pp. 79-83, 90-91, 114-18, 121-25; and *idem*, 'The October Club', *HLQ*, xxxiii (1970), 155-73; Horwitz, *Nottingham*, pp. 230ff.; Holmes, *British Politics*, pp. 279-83; and George Lockhart, *The Lockhart Papers, Containing Memoirs and Commentaries upon the Affairs of Scotland from 1702 to 1715, by George Lockhart, Esq., of Carnwath, His Secret Correspondence with the Son of King James the Second from 1718 to 1728, and his other Political Writings*, Anthony Aufrere, ed. (2 vols., London: for William Anderson, 1817), i, 324, 443 and p. 475, for an interesting definition of Hanoverian Tories as men who were the 'jest of mankind', directed by 'strange principles' that were 'inconsistent with their professions'; *cf. Memoirs of Atterbury*, i, 351.

<sup>48</sup>The former High-Church Tory Nottingham was angry at Oxford's failure to appoint him Lord Privy Seal following Newcastle's death and had generally voted Whig since the 'No Peace Without Spain' debate; Horwitz, *Nottingham*, pp. 230-40. For the leading Hanoverian Tories' activities

Parliament reconvened on 16 February 1714. As in previous sessions Orrery rarely missed a sitting.<sup>49</sup> On 17 March, in a debate on the state of the nation, Oxford proposed a measure that would have made the transportation of foreign troops into the kingdom an act of high treason.<sup>50</sup> Aimed at generating Whig and Hanoverian Tory support for the faltering ministry, to his chagrin, the motion provoked a response completely contrary to his intentions. Nottingham seized upon the motion as potentially harmful to the Protestant Succession. Bolingbroke attempted to vindicate the motion by the insertion of the clarifying clause 'foreign troops by the Pretender or his Adherents'. The motion was then shelved, but not before it had raised party ire on the Succession issue which remained on the minds of many peers for weeks.<sup>51</sup>

When the Easter recess was called at the end of March, these emotions persisted. Hanoverian Tory leaders appear to have arrived at an important conclusion: if they were to achieve their objective of buttressing guarantees of the Succession (doubtless motivated in many minds by diplomatic concerns like those Orrery had voiced earlier),<sup>52</sup> then concerted efforts with the Whigs to counter effectively the ministry's influence and its majority in Parliament. During the recess a number of clandestine meetings toward this end were held between Nottingham, Anglesey, Hanmer and Argyll and other Whig figures. Though not named specifically, Orrery's previous political behaviour and friendship with Argyll virtually confirm his presence at some of these meetings. These political strategy sessions proved successful and produced various results. As an act of compromise the ambitious Hanmer and Anglesey consented to relinquishing their pretensions to office, provided the Whigs would help preserve commerce, re-establish alliances broken or threatened by the recently-concluded peace of the pro-French ministry, and most importantly, secure the Hanoverian Succession. The Lord Treasurer was to be ousted and the Treasury put into commission, with the seats to be divided up as spoils among both camps.<sup>53</sup> When Parliament met on 5 April these unlikely allies

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in the spring of 1714 see the article (largely drawn from reports in French archives) by Eveline G. Cruickshanks, 'The Tories and the Succession to the Crown in the 1714 Parliament', *BIHR*, xlvii (1973), 176-92.

<sup>49</sup>*LJ*, xix, 620-757.

<sup>50</sup>The Opposition had achieved the same effect by their ongoing scheme to extend a writ of summons to the Duke of Cambridge (Electoral Prince, and future George II) to take his seat in the Lords; *Hanmer*, pp. 163-64; *Original Papers*, ii, 549-50; and Szechi, *Politics*, p. 155.

<sup>51</sup>*Timberland*, ii, 410-11; *PH*, vi, 1330-31.

<sup>52</sup>See above, Ch. 6, p. 247.

<sup>53</sup>For the meetings see Cruickshanks, 'Tories and the Succession', p. 180; and Horwitz, *Nottingham*, p. 242.

marshalled their forces and set about their self-assigned tasks. Debate on the state of the nation was resumed, the House's attention having been skilfully diverted in that direction from a consideration of the Queen's answer to a prior address concerning the peace settlement in Spain into questions concerning the recent peace treaties in general, and finally, the Protestant Succession. A question raised as to whether the Succession 'was in Danger under Her Majesty's Administration' provoked a storm of harangues, and the rancorous debate which followed, described by one observer as the 'warmest perhaps that ever was known',<sup>54</sup> continued until nine o'clock that evening.<sup>55</sup>

Most of this verbal abuse was directed against the ministry, which was sorely lacking in oratorical defenders. The powerful Ex-Junto Whig Lord Wharton and Hanoverian Tories such as Abingdon,<sup>56</sup> Anglesey, and Nottingham attacked the Utrecht settlement and the despicable methods by which it had been obtained. In attendance throughout the debates, Schütz must have looked on complacently when a motion to have all 'strangers' removed was passed and he alone was excused from compliance. Bolingbroke momentarily came to Oxford's defence for the sake of Tory unity and vainly attempted to calm tempers. The climactic, decisive *dénouement* of this political drama (and of Orrery's ministerial defection) came when the question was put before the House. The ministry barely escaped a damaging defeat when the motion that the Succession was not in danger passed by only 14 votes.<sup>57</sup> Though not vocal, Orrery's role in the debate and in the following vote was none the less significant. For siding with Argyll's group and the Whigs in the division were Shrewsbury, Abingdon, Anglesey, Ashburnham, Nottingham, Carteret, Conway, the newly nominated Archbishop of York, and Orrery,<sup>58</sup> who reportedly 'three

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<sup>54</sup>BL, Add. MS 47087, f. 64v; *idem*, *Berkeley and Percival*, p. 136.

<sup>55</sup>The 5 April 1714 debate was probably one of the most widely recorded of Anne's reign. This paragraph is drawn from the accounts in: SRO, GD45/14/336/18; *idem*, printed in *Letters of George Lockhart*, p. 93; *Wentworth Papers*, pp. 362-65. Peter Wentworth to Strafford, 6 April 1714; Bodl., MS Ballard 38, f. 110; *PH*, vi, 1334-36; Timberland, ii, 412-13; Torbuck, vi, 154-55; and Cruickshanks, 'Tories and the Succession', pp. 180-82.

<sup>56</sup>John, 2nd Earl of Abingdon, was MP for Oxford in the 1690s and a Privy Councillor throughout Queen Anne's reign; *Complete Peerage*, i, 46-47.

<sup>57</sup>*PH*, vi, 1336, gives the margin of victory as 13. After the division the embittered Wharton is said to have told Oxford his 'dozen' had been the only thing that saved the ministry; see Feiling, *Tory Party*, pp. 466-67.

<sup>58</sup>For the vote see BL, Add. MS 47027, f. 89; BL, Add. MS 47087, ff. 66-67; *Wentworth Papers*, p. 364; HMC, *House of Lords*, x, 274. The French resident's accounts of the debate and division, in AECP 251, ff. 263-66; and PRO, 31/3/Bundle 202 (Baschet Transcripts), ff. 195-96, dated 25 April; and that of the Prussian envoy, 6/17 April, in Deutsches Zentralarchiv Abteilung Merseburg, Germany, Report 11, England, No. 39A, f. 91v, mention Anglesey, Abington, the Archbishop of York, and Ashburnham, but ignore Orrery.



days before had left the court party'.<sup>59</sup> Orrery also presented the proxy vote of fellow Irish peer Lord Mountjoy.<sup>60</sup> In a session characterised by their use in large numbers, proxies played a crucial role, with 21 submitted for both sides.<sup>61</sup> After the division further debates on the Succession followed in subsequent meetings. One motion demanded that a bounty be placed on the Pretender's head. On 13 April a debate to insert words in an answer to an address from the queen concerning the Pretender was hotly contested and the court carried the measure by only two votes.<sup>62</sup> This division saw Orrery again oppose the ministry.<sup>63</sup> Additional pro-Hanoverian fervour was raised when on 16 April Schütz was expelled from the country for demanding a writ for the Elector's son to sit in the Lords.<sup>64</sup>

Orrery's support for the Hanoverian Tories intensified after this blatant display of opposition sympathies. As throughout his career up to this point, it remains difficult to classify him with a political label. A recent study does not classify him as a Hanoverian Tory in early 1714, but as a court whig in opposition,<sup>65</sup> but even this classification does not seem to have been rigid and steadfast. Shortly after the crucial Succession in Danger debate, the French ambassador reported rumours of a secret meeting with the Lord Treasurer at Oxford's brother's house. Those supposedly attending included Anglesey, Carteret and Orrery, whose purpose was to have 'capitulés apparemment sur les conditions de leur retour au party'.<sup>66</sup> Reports of this meeting cannot be verified with other sources, but, if it occurred the 'conditions' must have appeared unattractive to Orrery, for he was not welcomed back into the fold. Moreover, he was definitely unsympathetic to Jacobite schemes at this point, and was deeply concerned about schemes for bringing in the Pretender in the summer of 1714.<sup>67</sup> Hanoverian ministers did not suspect him of collusion with the Jacobites or the ministry; for a month after the 'Succession in Danger' debate their envoys included Orrery among a handful

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<sup>59</sup>*PH*, vi, 1338.

<sup>60</sup>Viscount Windsor in the British peerage: *Wentworth Papers*, p. 367; BL, Add. MS 17677-  
HHH, ff. 165-68, cited in Cruickshanks, 'Tories and the Succession', p. 181.

<sup>61</sup>Sainty and Dewar, p. 17, and (unpaginated) division list; and Sainty, 'Proxy Records,'  
p. 165.

<sup>62</sup>Timberland, ii, 419; Torbuck, vi, 163.

<sup>63</sup>BL, Add. MS 47027, f. 95v; BL, Add. MS 47087, f. 68.

<sup>64</sup>*Original Papers*, ii, 608-10; *LJ*, xix, 658-59; *PH*, vi, 1341-42; Timberland, ii, 417-18.  
Marlborough and Hanoverian observers expected the writ for the Duke of Cambridge to fail and an  
outcry to result: HMC, *Portland*, ix, 393. Strafford to Oxford, The Hague, 11 May 1714, N.S.

<sup>65</sup>Jones, 'Scheme Lords', p. 150, n. 112.

<sup>66</sup>AECP 251, f. 263. Iberville to Torcy, 19 April 1714, N.S.

<sup>67</sup>Bodl., MS Eng. Letters c.144, f. 300. Strafford to Orrery, The Hague, 29 May 1714.

of peers who had vowed that before the session's end they would arrange a settlement for the Electoral Prince (the Duke of Cambridge) comparable to the one Queen Anne possessed when she was a princess.<sup>68</sup> It seems fairly clear then, that Orrery's resolve to uphold the Hanoverian Succession ran deeper than mere political opportunism and was at least partly based on principle.

As the summer of 1714 progressed rumours persisted that Anglesey, Abingdon, and the Archbishop of York were forming a new ministry.<sup>69</sup> Despite his dismissal, Argyll continued to frequent the court,<sup>70</sup> and he and Orrery attended and participated in the House of Lords' business throughout the last months of Queen Anne's reign. In the three months between the April vote on the Succession up through July, Orrery was nominated to serve on seven committees.<sup>71</sup> He attended debates for the first two readings of the Schism Act, but in another rare absence he is not listed present on the day of a division on the third reading, which the Oxford ministry carried by a margin of 77 to 72.<sup>72</sup> In this vote Nottingham opposed many of his Hanoverian Tory colleagues,<sup>73</sup> and a projection list he compiled before the vote occurred demonstrated that he expected Orrery to oppose the court.<sup>74</sup> Orrery's name is also conspicuously absent from a Whig protest lodged after the division,<sup>75</sup> yet his voting intentions remain unclear, since there is no record of any peer having held his proxy.<sup>76</sup> After several more absences Orrery was back in the House at the end of June. On the 30th he held Argyll's proxy and was teller for the noes in opposing the government in a division over

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<sup>68</sup>BL, Stowe MS 226, f. 500; *idem*, printed in *Original Papers*, ii, 612. von Kreienberg to Baron Bothmar, 8 May 1714.

<sup>69</sup>AR, L'Hermitage to Heinsius, no. 1867, (MF290, Microfilm, Newcastle University, deposited by H.T. Dickinson), 27 July 1714, N.S.

<sup>70</sup>BL, Add. MS 31144, ff. 458-59. Peter Wentworth to Strafford, 6 May 1714.

<sup>71</sup>LJ, xix, 651, 674-75, 685, 693, 700, 702, 705, 718.

<sup>72</sup>PH, vi, 1349-55; LJ, xix, 710-17; Sainty and Dewar, division list, (unpaginated).

<sup>73</sup>LJ, xix, 716; e.g., Abingdon, Anglesey, Ashburnham, and the Archbishop of York, unlike the vote on the Succession in danger; Feiling, *Tory Party*, p. 470; PH, vi, 1351-54; *Wentworth Papers*, pp. 389-90.

<sup>74</sup>Leicestershire RO, Finch MS, Box 4960, PP 161; Orrery is here grouped with peers including Argyll, Cowper, Foley, and Halifax; *cf.* the table compiled from the list in Holmes, *British Politics*, App. A, pp. 425-35; and a similar compilation in Jones, 'Scheme Lords', p. 154.

<sup>75</sup>PH, vi, 1356-57; Oldmixon, *History*, pp. 554-55; LJ, xix, 717; BL, Add. MS 47087, ff. 77-78.

<sup>76</sup>HLRO, MS Proxy Book 1713-1714.

a bill to examine some public accounts.<sup>77</sup> His familiarity with Flemish trade issues was reflected in his nomination on 5 July to serve on a committee to consider difficulties caused by the 3rd, 5th, and 8th articles of the Treaty of Utrecht, and he was also deemed eligible to serve on a committee to consider the insertion of a clause in the Queen's speech concerning rewards for subjects who apprehended supporters of the Stuart Pretender.<sup>78</sup>

## II

By Parliament's prorogation in early July, it was undeniable that Oxford's ideal of a 'middle-of-the-road' court-led government had failed;<sup>79</sup> its tenuous grasp on affairs was seriously compromised by politicians hurrying to establish a place for themselves under the new regime.<sup>80</sup> Torn asunder by the rancour between Oxford and Bolingbroke, the ministry was itself forced to 'hobble on' until its collapse when, on 1 August 1714, the very day the Schism Act was to have taken effect, a suffering, weary Queen Anne expired. British politics underwent a radical and instantaneous transformation. The Queen's death inevitably meant tremendous changes, which were either dreaded or anticipated, depending upon the favour one enjoyed among respective Whig, Hanoverian Tory or Jacobite leaders.<sup>81</sup> Signs pointed to halcyon days ahead for Orrery under the new regime and temporarily, at least, Orrery, unlike

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<sup>77</sup>Orrery was absent on 23 and 28 June: *LJ*, xix, p. 718, 726, 732, 734, 736; HMC, *House of Lords*, x, 474; HLRO, MS Proxy Book 1713-1714. See the division (53 to 51), 30 June 1714, in Sainty and Dewar, division list (unpaginated).

<sup>78</sup>*LJ*, xix, 729, 746.

<sup>79</sup>Jones, 'Scheme Lords', p. 143.

<sup>80</sup>For Hanoverian appreciation of the significance of the Succession debates of 1714 see the letter printed in John M. Kemble, ed., *State Papers and Correspondence Illustrative of the Social and Political State of Europe From the Revolution to the Accession of the House of Hanover* (London: John W. Parker, 1857), p. 493.

<sup>81</sup>For widely divergent views on the state of the Tory Party at George I's accession and thereafter see Cruickshanks, *Political Untouchables*, Ch. 1, pp. 1-13; *idem*, 'The Tories', in the Introduction to *House of Commons, 1715-1754*, i, 62-65; *idem*, 'Introduction', in Eveline Cruickshanks, ed., *Ideology and Conspiracy: Aspects of Jacobitism, 1689-1759*, (Edinburgh: John Donald, 1982), pp. 1-14; and her 'Religion and Royal Succession: The Rage of Party', in Clyve Jones, ed., *Britain in the First Age of Party 1680-1750: Essays Presented to Geoffrey Holmes* (London: Hambledon Press, 1987), pp. 35-39. Cf. Holmes, 'Death of the Tory Party', pp. 230-35; J.C.D. Clark, 'The Politics of the Excluded: Tories, Jacobites, and Whig Patriots, 1715-1760', *Parliamentary History*, ii (1983), 209-22; *idem*, *English Society 1688-1832 Ideology, Social Structure and Political Practice During the Ancien Régime* (Cambridge: University Press, 1985), pp. 27, 30-33; Linda J. Colley, *In Defiance of Oligarchy: The Tory Party, 1714-1760* (Cambridge: University Press, 1982), Chs. 1-2; J.P. Kenyon, *Revolution Principles: The Politics of Party* (Cambridge: University Press, 1977), pp. 166-88; the more dated Archibald S. Foord, *His Majesty's Opposition, 1714-1830* (London: Oxford University Press, 1964), pp. 59-90; and Bennett, *Atterbury*, pp. 185-204.

many of his associates from the previous reign, succeeded in attaining the new monarch's favour.

Two powerful figures with whom Orrery had bound up his political fortunes, Argyll and Shrewsbury, had asserted their predominance in the final days of Anne's life. To Bolingbroke's dismay, Shrewsbury received the lord treasurer's staff from Queen Anne on her deathbed.<sup>82</sup> Argyll and Somerset made a dramatic surprise appearance at a Privy Council meeting held just before her death and Shrewsbury extended them a congenial invitation to participate.<sup>83</sup> Orrery appears to have been either in London or nearby when Queen Anne died. His name initially was omitted from the first proclamation,<sup>84</sup> and from initial Privy Council meetings held after the proclamation,<sup>85</sup> but he swore the oaths of loyalty on 2 August with about eight other peers.<sup>86</sup> It is also unclear whether Orrery journeyed to Greenwich to meet the King upon his arrival.

Whatever the case, Orrery soon began enjoying the fruits of his friends' influence with the new sovereign. Present at George I's initial Privy Council on 22 September,<sup>87</sup> Orrery was apparently counted among those of Queen Anne's councillors who could remain on the council without suspicion.<sup>88</sup> A notice from Whitehall on 18 October proclaimed the appointment of Orrery and six other peers as Gentlemen of the Bedchamber to His Majesty,<sup>89</sup> including the

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<sup>82</sup>He now held this post along with the Lord Lieutenancy of Ireland, and the staff of Lord Chamberlain. For this period see *Life of Shrewsbury*, p. 14; Gregg, *Queen Anne*, pp. 388-95; and Henry L. Snyder, 'The Last Days of Queen Anne: The Account of Sir John Evelyn Examined', *HLQ*, xxxiv (1971), 261-76.

<sup>83</sup>This bold gesture effectively opened it up so as to warrant the inclusion of other powerful Whigs, thwarting any hopes Bolingbroke might have entertained about forming a ministry: BL, Add. MS 47027, ff. 146-47; *Wentworth Papers*, pp. 407-08. Peter Wentworth to Strafford, 30 July 1714; Coxe, *Marlborough*, iii, 365-66; Dickinson, *Bolingbroke*, p. 131. Cf. Snyder, 'Last Days', p. 270; and Bennett, *Atterbury*, p. 181, who dispute this rendition of events.

<sup>84</sup>BL, Add. MS 47087, f. 82; *Daily Courant*, 2 Aug. 1714; *The Historical Register, Containing an Impartial Relation of all Transactions, both Civil and Military, Foreign and Domestic* (2 vols., London: for C. Meere, 1724), i, 3-4; *London Gazette*, 31 July-3 Aug. 1714; *Dublin Gazette*, 7-10 Aug. 1714; Daniel Defoe, *The History of the Reign of King George I...* (London: N. Mist, 1719), pp. 9-12; Peter Rae, *The History of the Late Rebellion Rais'd against His Majesty King George, by the Friends of the Popish Pretender* (Dumfries: for Peter Rae, 1718), p. 58.

<sup>85</sup>BL, Add. MS 47087, f. 81; HMC, *Townshend*, p. 220. Privy Council to the Chief Governor of the Tower of London, 2 Aug. 1714; *Historical Register*, i, 1; *Dublin Gazette*, 7-10 Aug. 1714.

<sup>86</sup>*LJ*, xx, 4.

<sup>87</sup>*London Gazette*, 21-25 Sept. 1714; Rae, p. 97.

<sup>88</sup>BL, Add. MS 38861, ff. 89-90, contains a list of the Privy Council, 31 July 1714. Some members are marked with P and others with an X, but Orrery's name is not marked in either manner; ff. 93-93, with a flyleaf that reads: 'new P.C. members sworn since 1 Oct. are designated by number', lists those sworn since George I's accession and shows Orrery's name with an adjacent '50' and a line marked through. Also see below, p. 271, n. 100.

<sup>89</sup>Defoe, *History of King George I*, p. 55; *London Gazette*, 16-19 Oct. 1714; *Dublin Gazette*,

Earls of Manchester,<sup>90</sup> Stair,<sup>91</sup> and Orrery's cousin, Lord Dorset.<sup>92</sup> Two days after his appointment Orrery marched with other English barons in the King's processional coronation in Westminster Abbey.<sup>93</sup>

The Lords of the Bedchamber alternately served as the King's personal valet for one week intervals. In his position Orrery enjoyed intimate contacts with the King and controlled access to the royal closet, introducing petitioners and other visitors, and accompanying the king on walks when he was at Hampton Court.<sup>94</sup> Besides court influence, Orrery received an annual salary of £1,000.<sup>95</sup> There is insufficient evidence to determine whether Orrery had any previous acquaintance with George I when the latter served as Elector in Flanders, yet when George I's fondness for Marlborough and Orrery's well-known reputation for insubordination towards the duke are taken into account, it seems rather remarkable that he was able to obtain the appointment at all. The peculiar nature of George I's court meant that Orrery's appointment allowed even greater and more frequent contacts with the sovereign than were common in other reigns. For the first two years after his succession, George I lived a remarkably secluded life which was characterised by informality and privacy and revolved around his infamous mistresses, the Duchesses of Munster and Kendal.<sup>96</sup> This was in marked

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16-19 Oct. 1714; Oldmixon, *History*, p. 578; Timberland, iii, 51; John Pointer, *A Chronological History of England: Or, an Impartial Abstract of the Most Remarkable Transactions...* (3 vols., Oxford: Leon Litchfield, 1714-21), iii, 785. See also the congratulatory letter from place-seeker P. MacNeny, British representative in Bruges, to Orrery, in: BL, Stowe MS 750, f. 70, 10 Oct. 1714, N.S.

<sup>90</sup>This was the same Lord Manchester who advocated Orrery's adversary in his first election in 1701; see above, Ch. 2, pp. 47-48.

<sup>91</sup>John Dalrymple, a Scottish peer and fellow Knight of the Thistle. Some of Stair's papers and correspondence are printed in John Murray Graham, ed., *Annals and Correspondence of the Viscount and the First and Second Earls of Stair* (2 vols., Edinburgh: William Blackwood & Sons, 1875).

<sup>92</sup>This was the grandson and heir of Orrery's now deceased uncle, Charles, Earl of Dorset and Middlesex; *Complete Peerage*, iv, 427.

<sup>93</sup>*LJ*, xx, 21-23; *An Exact Account of the Form and Ceremony of His Majesty's Coronation; as it was solemnly performed in the Collegiate Church at Westminster, on Wednesday the 20th Day of October 1714* (London: J. Baker, 1714); *The Whole Ceremoney (sic) of the Coronation of His Most Sacred Majesty King George I* (Dublin: J. Carson, 1735), p. 10; Defoe, *History of King George I*, p. 55. There is also an account of the coronation in Madame van Muyden, ed., *A Foreign View of England in the Reigns of George I and George II* (London: John Murray, 1902), pp. 239-43.

<sup>94</sup>The duties connected with position are described by a contemporary in Nichols, *Rudiments of Honour*, pt. 2, p. 274; also see the sympathetic biography of the first Hanoverian, Ragnhild M. Hatton's *George I: Elector and King* (Cambridge, Mass.: Harvard University Press, 1978), p. 141; and John M. Beattie, *The English Court in the Reign of George I* (Cambridge: University Press, 1967), p. 211.

<sup>95</sup>These payments appear to have been dispatched with fair degree of regularity: PRO, T 61/23/69, 154; *CTB*, xxxi, 100, 193, 334-35, 509.

<sup>96</sup>Their place at George I's court is analysed in Ragnhild M. Hatton, 'George I as an

contrast to the ostentation and wider accessibility of the rival court of the Prince of Wales, which appeared as a result of the royal quarrel which erupted between father and son in 1716, in which the Prince delighted in openly extending a cordial welcome to malcontents and disgruntled office-seekers in his father's absence.<sup>97</sup> As a reaction to events in 1716, after his return from Hanover in 1717 George I instituted a completely different regimen in order to coerce dissident whigs into making appearances at court.<sup>98</sup> Evidence from this period also confirms that Orrery took up residence at a rented lodging in Glasshouse Street, near Piccadilly. It is possible that Orrery procured these accommodations to permit convenient access to St. James.<sup>99</sup>

Orrery's preferment at the new Hanoverian monarch's court only proved a harbinger of other dramatic advances in his public career. In the month of November he was officially sworn a member of George I's reconstituted Privy Council.<sup>100</sup> Orrery was also extended the permission to retain the colonelcy of his regiment, which had been afforded the additional distinction in 1714 of being renamed the Royal North British Fusiliers.<sup>101</sup> Soon thereafter, following a week's service in the King's bedchamber,<sup>102</sup> Orrery received additional preferments when he was appointed as the *Custos Rotulorum* and to the Lord Lieutenancy of Somerset, which placed him in command of the county's militia.<sup>103</sup> These appointments complemented his English title as Baron Boyle of Marston as well as his influence and prestige in the West Country county where his principal English house and

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English and a European Figure', in Paul S. Fritz and D. Williams, eds., *The Triumph of Culture* (Toronto: A.M. Hakkert, 1972), pp. 192-98.

<sup>97</sup>For this and George I's daily routine in 1715-16 see the excerpts from Bonet's dispatches partially printed in Wolfgang Michael, *The Beginnings of the Hanoverian Dynasty* (2 vols., London: G.P. Putnam's Sons, 1936-37), i, 372-80; Beattie, *Court*, pp. 261-62; Hatton, *George I*, p. 141.

<sup>98</sup>Graham, *Annals and Correspondence of the Earls of Stair*, ii, 25-28, 38; Beattie, *Court*, pp. 264-65.

<sup>99</sup>HMC, *Cowper*, iii, 117. Orrery maintained a residence there until well into the 1720s.

<sup>100</sup>Boyer, *Political State*, xix, App. p. 7; *New and Compleat List*, p. 2; *Dublin Gazette*, 27-30 Nov. 1714. After George I's accession the Privy Council underwent a drastic revamping. From 80 members during Anne's reign, its numbers were reduced to 32--the only Tories allowed to remain members were those who (like Orrery) had voted against the ministry and for the motion that the Protestant Succession was endangered in April 1714; W.A. Speck, *Stability and Strife, England, 1714-1760* (Cambridge, Mass.: Harvard University Press, 1977), pp. 23, 175. For George II's failure to reappoint Orrery to his first Privy Council in 1727 see below, Ch. 10, p. 433.

<sup>101</sup>Buchan, *Royal Scots*, p. 72; Cannon, *Record of the Twenty-First Regiment*, pp. 17-18.

<sup>102</sup>Orrery served in his capacity for a week in early Dec. 1714; *London Gazette*, 7-11 Dec. 1714.

<sup>103</sup>The former post was an ancient office responsible for the maintenance of county court records.

estates were located.<sup>104</sup> Ironically, his appointment occurred as a result of the dismissal of Ormonde, his former fellow 'Brother'.<sup>105</sup> Several sources wrongly proclaim Orrery's promotion to Lieutenant General in December 1714,<sup>106</sup> but he does not seem to have been granted that favour. Orrery was listed among 16 Major-Generals commissioned in a March 1715 warrant,<sup>107</sup> however, and the same month he was appointed, along with Argyll and Stanhope, to a new Board of General Officers.<sup>108</sup>

In view of his prospects in the autumn of 1713, in the brief six months after George I's accession Orrery must have considered himself graciously compensated for his recently-adopted Hanoverian loyalties. An interesting aspect of these appointments is determining the influence behind this royal bounty. As in previous stages of Orrery's career, it was almost certainly Argyll's considerable influence which was responsible for both his court and military appointments. As Lord Chamberlain, Shrewsbury, less controversial and less offensive, also enjoyed intimate court contacts and this fact probably had some bearing on the Bedchamber appointment as well. Initially George I was rumoured to have wanted to employ Tories as well as Whigs and in something approaching multi-party ministry.<sup>109</sup> In the early stages it appeared his desires would be fulfilled.<sup>110</sup> In early 1715 Sir John Perceval thought criticism of the Whigs' wholesale replacement of office holders unfounded and drew up his own

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<sup>104</sup>I.e., Baron Boyle of Marston in Somerset. He swore the oaths of allegiance and supremacy for these offices in early January 1715; see the report from St. James, 5 Jan. 1715, in *London Gazette*, 4-8 Jan. 1715. Considerable confusion remains over the date of the appointments. The official government news organ gives it as 17 Dec.: *London Gazette*, 14-18 Dec. 1714. Oldmixon, *History*, p. 584, puts it in early January, while another contemporary historian gives it as 2 Nov.: Pointer, iii, 790; cf. *Dublin Gazette*, 6-9 Nov. 1714; and Lodge, *Peerage*, i, 195, which both date the appointment in early November. More recently, the List and Index Society's *List of Lieutenants of Counties of England and Wales, 1660-1974*, J.C. Sainty, comp., (London: Swift, 1979), p. 30, gives the date of appointment as 3 Dec. 1714.

<sup>105</sup>Ormonde had fallen under suspicion (soon to be confirmed) of plotting subversion with the Jacobites. He later fled England to spend three decades in exile in the Pretender's service.

<sup>106</sup>Noble, ii, 71; *Catalogue of Autograph Letters*, i, 313; Lodge, *Peerage*, i, 195.

<sup>107</sup>PRO, SP 41/5/65; PRO, SP 44/177/127, warrant dated 23 March 1715; *idem*, *George the First's Army*, i, 299.

<sup>108</sup>Noble, ii, 71-72; Lodge, *Peerage*, i, 195.

<sup>109</sup>Peter Wentworth attempted to calm his brother's fears in Oct. 1714 with a tale of how George I was opposed to 'people's private piques' regarding the dismissal of officers: *Wentworth Papers*, p. 430. Perceval believed George I was initially inclined to employ Tories in 'lucrative employments tho[ugh] not into places of trust'; see BL, Add. MS 47027, ff. 173-74; BL, Add. MS 47128, f. 27v.

<sup>110</sup>The principal theme of Colley, *Oligarchy*, is that the Tories were a loyal party willing to serve George I until proscribed by the '15 and its aftermath; for a discussion and refutation of this view see Cruickshanks, *Political Untouchables*, pp. 4-6, 15-16; and Clark, 'Politics of the Excluded', pp. 209-22.

list of Tories who had been 'continued or on whome Honours and marks of favour are confer'd.' Included among this list of 28 names, were Orrery, one of the latter's closest friends in later life, Lord Uxbridge,<sup>111</sup> as well as Shrewsbury, Orkney, Peterborough, and several peers with whom Orrery had voted in the 1714 divisions.<sup>112</sup>

Some of Orrery's moderate image and influence may have derived from his rekindled friendship with an old acquaintance from the Kit-Cat Club, Charles, Lord Halifax.<sup>113</sup> Halifax was a veteran, but probably the least ardent and most moderate, member of the powerful Whig Junto of the early years of Anne's reign. Frustrated in hopes of being appointed Lord Treasurer in 1714,<sup>114</sup> Halifax had begun concerting measures with Shrewsbury for the formation of a moderate, bi-partisan ministry.<sup>115</sup> Moderates of various persuasions lamented his death in 1715, quickly pointing out it would severely damage Tory aspirations.<sup>116</sup> Keeping Halifax's ambitions in mind, one may be able to discern a greater degree of credibility in the writings of Orrery's eulogistic biographer, Eustace Budgell. A gifted writer, Budgell had earlier contributed over 30 essays to the *Spectator*.<sup>117</sup> A legal dispute stemming from his dismissal from this post, coupled with catastrophic losses in the South Sea Bubble,<sup>118</sup> seem to have left him emotionally unstable, and five years after composing his *Life of Orrery*, he drowned

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<sup>111</sup>Henry Paget, Knight of the Shire for Staffordshire from 1695; created Lord Paget and Burton as one of Oxford's dozen in 1712; cr. Earl of Uxbridge, 19 Oct. 1714. Holmes, *British Politics*, p. 262, 423, described him as a rather unreliable 'pallid' Tory protégé of the 1st Duke of Newcastle. Uxbridge lived near Orrery's Buckinghamshire estate and was one of the executors of his estate.

<sup>112</sup>Including Anglesey, Abingdon, Ashburnham, and Windsor: BL, Add. MS 47028, f. 7; *idem*, BL, Add. MS 47087, f. 89v.

<sup>113</sup>See above, Ch. 2, pp. 63-64. Halifax had been created Earl in Oct. 1714.

<sup>114</sup>For Halifax's lingering discontent over George I's failure to appoint him Lord Treasurer see Bodl., MS Add. A-269, f. 38; BL, Add. MS 47027, f. 183v; and BL, Add. MS 47087, f. 88.

<sup>115</sup>HMC, *Portland*, vii, 206. Perceval attributed Sunderland with derailment of Halifax's plans: BL, Add. MS 47128, f. 27v. For his disappointed schemes for a moderate ministry see Coxe, *Walpole*, i, 102-04, 138; *Life of Shrewsbury*, p. 14; and Budgell, pp. 212-13.

<sup>116</sup>Soon after Halifax's death one of Bolingbroke's friends in England commented that it would prove a far greater blow to the Tories than to the Whigs: Davies and Tinling, 'Letters from James Brydges to Bolingbroke', p. 150, 22 May 1715: cf. Bodl., MS Ballard 31, f. 115; BL, Add. MS 70145, n.f. Sir Edward Harley to Abigail Harley, London, 21 May 1715; and HMC, *Letter-Books of William King*, i, 13.

<sup>117</sup>Budgell also served as 'Accomptant General of Ireland'. For Addison's high opinion of Budgell see HMC, *Letter-Books of William King*, i, 3.

<sup>118</sup>HMC, *Report on the Manuscripts of the Earl of Egmont* (3 vols., London: for H.M.S.O. by Mackie & Co., 1905-09), i, 96. Budgell nearly caused a riot at a meeting of South Sea proprietors in 1720: Bodl., MS Ballard 32, f. 127.



himself in the Thames.<sup>119</sup>

Budgell's account of Orrery's life takes on an increasingly important role in an analysis of events after 1714, since the majority of Orrery's extant correspondence dates from Queen Anne's reign. Nevertheless, caution must be exercised when using Budgell, whose own contact with Orrery does not seem to have begun until 1730. Furthermore, Orrery's longtime acquaintances expressed doubts as to whether Budgell's relationship with Orrery was as familiar as maintained.<sup>120</sup> These reservations notwithstanding, Budgell's occasionally unique revelations about Orrery's career under the first two Hanoverians is of great interest. He claimed Orrery was 'induced' to accept his new preferments in 1714 in hopes that the forces working toward moderation would prevail. Budgell also supplies the sole evidence for links between Orrery and Halifax, claiming they were 'upon as good terms as two persons could well be, who seldom voted on the same side in the House of Peers'.<sup>121</sup> Without more evidence it is impossible to confirm Budgell's claims, and perhaps Orrery and Halifax simply had mutual political interests based on the importance of Halifax's gestures to political moderates. Telling behaviour on his part is his service as teller for the noes in a division on whether to commit Oxford to the Tower in 1715.<sup>122</sup> The remaining question is whether it is simply a coincidence that Orrery's world began to crumble soon after Halifax's sudden death. The little which can be determined of Orrery's voting patterns in Parliament while he was Lord of the Bedchamber do not answer this question. Peers receiving pensions and holding places at the Crown's pleasure obviously endured restrictions on their conscience and were certainly not free to vote and speak as they pleased. Like Orrery, most other Lords of the Bedchamber held some supplemental government or court perquisites, and of the 31 Bedchamber lords appointed during George I's reign, Orrery was one of 12 who were also Lords

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<sup>119</sup>See *The Gentleman's Magazine*, i (March 1731), p. 109; and the 2nd Earl of Oxford's remark in *N & Q*, 2nd ser. (2 June 1860), p. 418.

<sup>120</sup>Jacobite diarist Mary Caesar, wife of MP Charles Caesar of Benington, Hertfordshire, wrote in 1732 that Budgell had 'Meddled' with Orrery's religion and that his Memoirs proved that 'We that Knew Him [Orrery] Can tell that Budgel Knew Him Not. Tho he would make the World believe he did'. In another passage a conversation with the Scottish peer Lord Aberdeen was recalled in which Aberdeen remarked that 'Budgell was Not a Likely person for that Lord [Orrery] to Open Himself to For he Allways took Lord Orrery for a Sinsible close Determined Man': BL, Add. MS 62258, ff. 25, 28, 32.

<sup>121</sup>Budgell, p. 212; and above, Ch. 2, p. 64. In 1719 Budgell reminisced about his fondness for Halifax, to whom Budgell had 'at all times free access': HMC, *Portland*, v, 588. Budgell to Oxford, 17 July 1719.

<sup>122</sup>HMC, *House of Lords*, xii, 196; Sainty & Dewar, division of 12 July 1715. Halifax was also thought responsible for once helping to prevent the Jacobite MP Charles Caesar's expulsion from the Commons: Bodl., MS Ballard 31, f. 115.

Lieutenant.<sup>123</sup> Consequently, any courtier or placeman bold enough to exhibit a tendency to oppose the ministerial line in the Lords surely ran a serious risk of forfeiting his place.

### III

As the reign progressed events proved that parliamentary obedience was insufficient to preserve one's place. The main reason for this development was the outbreak of the Jacobite Rebellion in Scotland. Orrery did not directly participate in the subjugation of the Jacobites in 1715,<sup>124</sup> but his Fusiliers were among several regiments transferred from Ireland to Scotland to counter the Jacobite forces.<sup>125</sup> Situated in the first line under Argyll's overall command, the Fusiliers performed valiantly at Sheriffmuir,<sup>126</sup> suffering some of the highest casualties of the Hanoverian forces.<sup>127</sup> Despite minimal involvement, Orrery attempted to counter Toryism's stigma by demonstrating loyalty to George I. Alongside staunch Whigs, Orrery signed a Privy Council letter on the eve of the '15 which ordered Lord Uxbridge, as Lord Lieutenant of Scotland, to seize all arms in the hands of Catholics and non-jurors.<sup>128</sup> The outcry over the unsuccessful attempt was so much political manna for the Whigs. Despite Tory peers' attempts to 'come to town and assure the King' of their loyalty,<sup>129</sup> distinctions

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<sup>123</sup>For a useful discussion of other offices held by Lords of the Bedchamber and their political activities see Beattie, *Court*, pp. 174-75, 250-52.

<sup>124</sup>Recent studies of the Fifteen include John Baynes, *The Jacobite Rising of 1715* (London: Cassell, 1970); and Alistair and Henrietta Tayler's *1715: The Story of the Rising* (London: Thomas Nelson and Sons, 1936).

<sup>125</sup>PRO, WO 4/16/159, 229; BL, Add. MS 61652, f. 307v.

<sup>126</sup>Mar's bitter irony was to suffer defeat from elements of a regiment his own father had founded. For Orrery's regiment see; *London Gazette*, 11 Oct. 1715; Rae, pp. 206, 300, 304, 363; Robert Patten, ed., *The History of the Rebellion in the Year 1715*, 3rd. ed. (London: James Roberts, 1745), pp. 9, 156-61; Duncan Warrand, ed., *More Culloden Papers* (2 vols., Inverness: Robert Caruthers, 1925), ii, 40-41, 92; HMC, *Fifteenth Report on Manuscripts in Various Collections* (8 vols., London: H.M.S.O., 1913), viii, 92; Charles Sanford Terry, ed., *The Jacobites and the Union, being a Narrative of the Movements of 1708, 1715, 1719, by several Contemporary Hands* (Cambridge: University Press, 1922), p. 118.

<sup>127</sup>The Fusiliers suffered 109 enlisted men and 5 officers killed and wounded. The battle and casualties are described in BL, Stowe MS 748, ff. 111-12; and the detailed account in The Hirsell, Coldstream, Berwickshire, Douglas-Home MS Box 197, Bundle 2. Orders of Battle for Sheriffmuir are also found in the Duke of Montagu's 'Scrapbook,' no. 35; and Rae, p. 300.

<sup>128</sup>HMC, *Fifth Report*, i, 297, Privy Council letter, St. James, 20 July 1715. The letter was also signed by prominent Whigs like Sunderland, Manchester, Dorset and the Duke of Devonshire. An almost identical letter written to Devonshire including Argyll and Ilay but omitting Orrery is in NLS, MS 3418, ff. 93-94.

<sup>129</sup>HMC, *Fifth Report*, i, 189. Duke of Kingston to (his daughter), the dowager Lady Gower, 27 Oct. 1715.

between Jacobite and Tory became increasingly blurred in popular eyes.<sup>130</sup> Sanctioned by fears of popery and oppression, Whig persecution of Tory figures associated with Oxford ministry's accelerated and gains in borough seats at the polls later the same year solidified the Whig supremacy.<sup>131</sup> The political purge of Tories and suspicious Whigs with past ties to Oxford began soon after Halifax's death, precipitated by Bolingbroke's flight across the Channel in March. His decision to join the Pretender soon thereafter rather than face his comrades' fate dealt a further blow to Tory credibility.

The major votes that indicated party sympathies in the Lords session of 1715 were the impeachment trials of Ormonde and Oxford, who were forced to pay for their roles in the cessation of hostilities and the Utrecht negotiations. Orrery's court appointment placed him in an awkward position in the debates concerning his former friends and associates and seems to have had some effect upon the regularity of his attendance. Attending regularly throughout the autumn of 1714, Orrery was present on the opening session of parliament in March 1715. He continued to frequent the Lords that spring and was nominated to serve on several committees,<sup>132</sup> but his attendance thereafter became erratic and remained so for the next year. He was absent for most of July and August and did not attend the House the remainder of the session after 9 August, even on occasions when George I himself was in attendance.<sup>133</sup> One of these was during the debates on the impeachment proceedings against Oxford, which were probably the session's most heated,<sup>134</sup> and the manner in which peers voted was subjected to close scrutiny. Both Marlborough and Argyll had supposedly vowed to ruin Oxford and render him a Tory sacrifice to the new regime.<sup>135</sup> Remembering this and the bitterness stemming from delays in Orrery's diplomatic salary payments, one presumes that he would have supported the

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<sup>130</sup>By November 1715 Perceval was informed that a 'high Tory...is now reckoned the same thing with a Jacobite': *Berkeley and Percival*, p. 153.

<sup>131</sup>W.A. Speck, 'The General Election of 1715', *EHR*, xc (1975), 507-22; Colley, *Defiance*, p. 120; Speck, *Stability and Strife*, p. 294.

<sup>132</sup>*LJ*, xx, 21, 23, 31-87; *A List of the Peers, Spiritual and Temporal, with the Knights of Shires, Citizens and Burgesses chosen to serve in the Parliament of Great Britain summoned to meet at Westminster on 17th of March 1715, as they now stand Returned* (Edinburgh: for James McEuen, 1715), p. 9; Torbuck, vi, 278.

<sup>133</sup>*LJ*, xx, 234.

<sup>134</sup>Anglesey's fiery speech so infuriated George I that his sceptre trembled in his hands: Bodl., MS Ballard 36, f. 98; Christ Church, Wake MS 19, Misc., ff. 2-4; *Diary of Mary, Countess Cowper*, p. 57.

<sup>135</sup>HMC, *Portland*, vii, 208. For Marlborough's tearful reaction upon Oxford's acquittal see: HMC, *Twelfth Report, Appendix, Pt. ix, The Manuscripts of the Duke of Beaufort, K.G., the Earl of Donoughmore, & Others* (London: for H.M.S.O. by Eyre & Spottiswoode, 1891), p. 97.

impeachment proceedings against the former Lord Treasurer, yet, inexplicably, Orrery abstained from the House in the division over whether or not to commit Oxford to the Tower.<sup>136</sup> During the proceedings against Ormonde on 8 August 1715, Orrery was present and apparently voted in favour of the attainder, since his name is missing from a protest lodged against it.<sup>137</sup>

It is also not surprising that although he sat for the reading of the impeachment articles against Bolingbroke on 6 August, Orrery did not attend the government's vote on the attainder of his former 'Brother' later the same month.<sup>138</sup> A hitherto unnoticed forecast list compiled to marshal proxy votes in the Lords and found among Lord Townshend's papers by the present author may also shed some light on Orrery's voting during this session. Thought to have been compiled in 1715, the undated list may in fact date from mid-1716.<sup>139</sup> It omits Orrery's name entirely, perhaps indicating that its author was sufficiently confident of his vote and that there was no need to contact him.<sup>140</sup> The reason for Orrery's absences remain a mystery. Occasional absences could be attributed to his duties as a Lord of the Bedchamber, but these would not account for instances which saw the king attending parliament or the prolonged periods except in the case of his absence in July-September of 1715, when Lords Lieutenant were ordered to raise militias in their respective counties.<sup>141</sup> Without Orrery's correspondence from this period his prolonged illness cannot be confirmed. Furthermore, the nature of the debates and Orrery's prior links to the personalities involved in them during his absences is so coincidental as to suggest that some of his infrequent attendance was intentional.

Orrery's professions of loyalty were evidently deemed insufficient by members of George I's government, for the rebellion in 1715 also marks the beginning of Orrery's declining influence at court. Despite his Privy Council activities, in the autumn of 1715 Orrery lost

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<sup>136</sup>In his letter of 12 July 1715, Perceval's cousin Daniel Dering took special notice of Orrery's absence: BL, Add. MS 47028, f. 37. Orrery's friend Uxbridge remained and cast his vote for Oxford. For three handwritten protests in Oxford's favour see BL, Add. MS 70345, n.f.

<sup>137</sup>*PH*, vii, 68-71, 138-44; *Collection of Lords Protests*, (1747 edition), p. 176.

<sup>138</sup>*LJ*, xx, 148-53, 170-71; also see Christ Church College, Wake MS 19, Misc., ff. 16-17, for the Lords debate over Bolingbroke's attainder; cf. *Collection of Protests*, (1747 edition), pp. 175-76; *PH*, vii, 67, 129-37.

<sup>139</sup>The list indicates Argyll and Ilay were in opposition, because it links them with the Prince of Wales.

<sup>140</sup>The list, which the present author hopes to publish, is pencilled '1715' and contains the names of several dozen Whig peers. It is found in BL, Add. MS 38507, ff. 187-88.

<sup>141</sup>BL, Add. MS 47028, f. 45v.

his Lord Lieutenancy and its related office.<sup>142</sup> If hardly surprising, the exact circumstances and reasons behind his removal are uncertain. Observers reported there was 'strict inquiry making into the Characters of all persons in the Army, private men as well as officers'.<sup>143</sup> A Major-General with links to the previous ministry until fairly recently, Orrery was a likely suspect for disloyalty. Moreover, in the event of a Jacobite invasion dutiful Lords Lieutenant commanding county militias could mean the difference between the collapse or the survival of the government. Therefore, it needed men who were completely trustworthy in times of rebellion. This was especially true with Orrery's case. The West Country, and Somerset specifically, were the target of several proposed landings and the county remained a hotbed of Jacobite activity throughout the first half of the century.<sup>144</sup> There also may be some connection between Orrery's dismissal and the arrest of Sir William Wyndham, a prominent Somerset Tory and close friend of Bolingbroke's.<sup>145</sup> There is no documentary evidence to confirm a close link between Orrery and Wyndham, although their mutual friendship with Bolingbroke suggests their acquaintance. None the less, it is interesting to note that Perceval announced news of a plot involving over 100 'persons of rank', Wyndham's dramatic arrest and, the removal of Orrery as Lord Lieutenant of Somerset and Uxbridge as Captain of the 'Yoemen' in the same paragraph.<sup>146</sup> Despite his loss, Orrery continued to support the Whig ministry when he resumed his parliamentary attendance in 1716. He participated in the sessions during the trials of the Jacobite lords early that year, and up until April was absent on only a few occasions.<sup>147</sup> The year 1716 also marks the beginnings of Orrery's political association with his young cousin, the renowned patron of the arts, Lord Burlington, who held Orrery's proxy dated 13 April 1716.<sup>148</sup> It must be this proxy vote which

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<sup>142</sup>*List of Lieutenants*, p. 119, gives the date of Orrery's replacement as 1 Oct. 1715. He was replaced by George 'Bubb' Doddington: *London Gazette*, 27 Sept.-1 Oct. 1715. Other sources report he voluntarily resigned the offices; see Budgell, p. 214; Lodge, *Peerage*, i, 195.

<sup>143</sup>BL, Add. MS 47028, f. 70. George Berkeley to Perceval, 8 Sept. 1715; *idem*, printed in *Berkeley and Percival*, p. 147.

<sup>144</sup>Ormonde actually landed in Devonshire in the '15 but soon departed for a lack of popular support: BL, Add. MS 47088, ff. 26v-27v; *Berkeley and Percival*, p. 153; Charles Petrie, 'The Jacobite Activities in South and West England in the summer of 1715', *TRHS*, 4th ser. xviii (1935), 85-106.

<sup>145</sup>Wyndham, the Duke of Somerset's son-in-law, had been appointed Chancellor of the Exchequer in 1713. He was committed to the Tower on 7 Oct. 1715, and bailed 20 June 1716: BL, Add. MS 57343, f. 4v.

<sup>146</sup>See his letter describing the conspiracy and removals in BL, Add. MS 47028, f. 12, 2 Oct. 1715; and a copy in BL, Add. MS 47087, f. 80; also see BL, Add. MS 47028, f. 81. Wyndham's arrest is also recounted in Patten, pp. 221-24.

<sup>147</sup>*LJ*, xx, 242-328.

<sup>148</sup>HLRO, MS Proxy Book, vii (1685-1733). The elusive Burlington's political activities are

was cast with the Whigs in a division over the celebrated Septennial Act on 18 April 1716,<sup>149</sup> vigorously supported by Argyll and Ilay with the gratitude of the Prince of Wales,<sup>150</sup> because Orrery was recorded as absent during the debates and for the remainder of 1716.<sup>151</sup>

In the aftermath of the '15 Orrery's position continued to decline, and was indirectly related to Argyll's suppression of the rebellion. As in several previous critical stages in Orrery's career, Argyll's influence had proved important in the benefits Orrery enjoyed after the Hanoverian Succession and, commensurately, the duke's absence from court and his own gradual slide into disfavour could only undermine Orrery's own influence. Conclusions must be tentative, however, because the irksome problem with the Argyll/Orrery link is a frequent and recurring one: a scarcity of direct evidence. Despite this near lifelong friendship and their rich political association, it is unfortunate that not a single letter between Argyll and Orrery seems to have survived.<sup>152</sup> None the less, as at various stages of Orrery's career, in 1706, 1710, 1714, and now in 1716, mutual disdain for Marlborough and their reputation as ambitious officers and politicians provoked ministerial antagonism and vengeance.

The origins and causes of Argyll's fall from grace in 1716 are complex, numerous, and difficult to quantify in terms of importance,<sup>153</sup> but the circumstances of his removal are worth recounting because it occurred almost simultaneously with Orrery's and in much the same manner; both were apparently victims of Whig hostility towards associates of the late ministry and as part of general 'removes' at court undertaken just prior to George I's annual sojourn to Hanover in the summer of 1716. The same people were also involved in the

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traced in Eveline Cruickshanks, 'The Political Career of Richard, 3rd Earl of Burlington', in T.C. Barnard and Jane Clark, eds., *Lord Burlington: Architecture, Art and Life* (London: forthcoming, Hambledon Press, 1994). His association with Orrery and possible Jacobitism are discussed below in Chapter 9.

<sup>149</sup>Oldmixon, pp. 634-35.

<sup>150</sup>NLS, MS 2965, f. 97; Coxe, *Walpole*, ii, 62-63; *Diary of Mary, Countess Cowper*, p. 102; Oldmixon, *History*, p. 634. For reasons for their support, and the Scottish nobility's role in British politics during George I's reign, see G.M. Townend, 'The Scottish Nobility and the House of Lords, 1715-1722', in *Power, Property and Privilege: The Landed Elite in Scotland from 1440 to 1914* (St. Andrews: Dept. of Scottish History, Association of Scottish Historical Studies, 1990), pp. 34-46. The issues behind the Septennial Act are explained in Kenyon, *Revolution Principles*, pp. 180-84.

<sup>151</sup>*LJ*, xx, 332-409. Orrery did not attend again until 20 Feb. 1717, even on occasions when George I attended as on 7 May and 26 June 1716; see *ibid.*, pp. 349, 395, and 412.

<sup>152</sup>There are no letters between them in any of Orrery's papers, and a careful scrutiny of the Survey of the MSS of the Dukes of Argyll, Inveraray Castle, Argyllshire, reveals not only a complete absence of letters between Argyll and Orrery but very little for the 2nd Duke's life and political associations in general.

<sup>153</sup>A useful discussion of Argyll's dismissal as Groom of the Stole can be found in Beattie, *Court*, pp. 229-31.

dismissals, but their justification is discernible. After George I's accession both Argyll and Ilay were thought excessively greedy.<sup>154</sup> Argyll's oratorical prowess in the Lords was intimidating, and these powers were complemented at court by his influence with the Prince.<sup>155</sup> Argyll had also been appointed Groom of the Stole, or the first Lord of the Bedchamber, to the Prince.<sup>156</sup> By the spring of 1715 the latter fact was closely related to court friction which was characterised by yet another ongoing military rivalry between Argyll and Marlborough, and some said Argyll used incidents of unrest in Marlborough's regiment 'to give the Prince an Ill Impression of Him.'<sup>157</sup> Marlborough had himself coveted the position of the King's Groom of the Stole, but George I had opposed his appointment, believing the post should go to a person 'from ye duty of his place' who would 'be always near his person'. Thus the King was 'resolved to know ye man very well on whom he shall confer it.'<sup>158</sup> A similar, though perhaps slightly less thorough, degree of confidence, would seemingly apply to the sovereign's relationship with lords of the Bedchamber.

Overwhelming evidence illustrates the connection between the dismissals of Argyll and Orrery and their mutual relationship with the Prince of Wales. By 1716 several members of the powerful Whig Junto which had so dominated most of Queen Anne's reign had passed away. This cleared the way for new, younger leadership in the personages of four figures: Marlborough's son-in-law, Sunderland; James, now 1st Earl Stanhope; and Sir Robert Walpole and his brother-in-law, Viscount Townshend.<sup>159</sup> An internal power struggle between these men largely shaped the politics of the first half of George I's reign and had a significant impact upon Argyll's position at court, where it was noticed that not only Marlborough, but Sunderland, Townshend, Walpole, and even George I's Hanoverian favourite, Baron Bernsdorff, were extremely fearful and suspicious of Argyll's influence with the Prince.<sup>160</sup> Though weary and ailing after a

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<sup>154</sup>Their rapacity caused clamours that 'more equall distribution of places' was not applied: SRO, GD220/5/382/2.

<sup>155</sup>Wodrow, *Analecta*, iv, 317-18.

<sup>156</sup>Oldmixon, *History*, p. 572.

<sup>157</sup>BL, Add. MS 47087, f. 97; for the reasons of the unrest see below, p. 291, n. 234.

<sup>158</sup>BL, Add. MS 47027, f. 178.

<sup>159</sup>Townshend is the only one of the four to still lack a detailed study, although a brief summary of his career is provided in James Rosenheim, *The Townshends of Raynham: Nobility in Transition in Restoration and Early Hanoverian England* (Middleton, Conn.: Wesleyan University Press, 1989), pp. 225-41. In addition to the biographies of Walpole and Stanhope by Plumb and Williams, respectively, Walpole's rise to power is masterfully explained in H.T. Dickinson, *Walpole and the Whig Supremacy* (London: Constable, 1973). Sunderland was the subject of a recent study by Graham M. Townend, 'The Political Career of Charles Spencer, Third Earl of Sunderland, 1695-1722', (unpublished Ph.D., University of Edinburgh, 1985).

<sup>160</sup>Mary, Countess Cowper, *Diary of Mary, Countess Cowper, Lady of the Bedchamber to the*

stroke in May 1716, Marlborough's malice towards Argyll was reciprocated. Memories of his ill-treatment at the hands of the Oxford ministry during his final campaigns in Flanders notwithstanding, Marlborough exerted great efforts to promote Cadogan's aspirations to counter Argyll's influence, contributing to 'unhappy misunderstandings' between the dukes. Others thought Marlborough's jealousy was 'destroying' Argyll,<sup>161</sup> who was not unjustly blamed for a leading role in convincing Queen Anne to dismiss Marlborough. Argyll responded with accusations that Marlborough had put him in 'the most desperate Service there was in one of the battles in Flanders'.<sup>162</sup>

There was also considerable personal friction between Argyll and other leading Whigs, particularly Townshend, over Argyll's handling of the Jacobite Rebellion. Argyll claimed that he requested the authority to pardon some of the rebels but that Townshend had delayed in giving his consent, thus prolonging the rebellion by some months.<sup>163</sup> Cadogan's dispatch to Scotland to supersede Argyll and investigate allegations of his lenience towards the Jacobites only escalated the rivalry and exacerbated the situation further.<sup>164</sup> The issues of Argyll's prosecution of the rebellion and whether or not he contemplated collaboration with the Jacobites are far too weighty for consideration here; there is ample contradictory evidence to support both theories.<sup>165</sup> Against this backdrop of backstabbing and covetousness, Argyll's long absence from court during the Jacobite Rebellion of 1715 ultimately proved his undoing. Contemporaries feared just such an outcome, noting that Argyll would inevitably fall

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*Princess of Wales, 1714-20* (London: for John Murray, 1864), pp. 58-114. A list of the numerous civil and military employments Argyll possessed at the time of his fall in 1716 can be found in NLS, MS 17498, f. 144.

<sup>161</sup>BL, Add. MS 47028, f. 73; BL, Add. MS 47088, f. 11.

<sup>162</sup>*Diary of Mary, Countess Cowper*, p. 58.

<sup>163</sup>BL, Add. MS 9128, ff. 4-75; BL, Add. MS 61632, ff. 144-45. Argyll to Sunderland, (copy), Stirling, 3 Jan. 1716, O.S.

<sup>164</sup>Cadogan confided to Marlborough in Feb. 1716 that Argyll had grown 'so intolerable uneasy that it is almost impossible to live with him any longer': Coxe, *Marlborough*, iii, 392. For Argyll's campaign in the '15 and his attempts to counter Cadogan cf. Tayler, *1715*, pp. 140-41; Dickson, *Argyll*, pp. 182-94.

<sup>165</sup>For example, SRO, GD45/14/249, is a copy letter from Lady Panmure to her brother, Lord Orkney, Dec. 1715 purporting to detail a proposed agreement between the Jacobites and Argyll. A similar document entitled 'Queries from Ld. Mar' is in Douglas-Hume MS, Box 197, Bundle 2; but cf. HMC, *Sixth Report of the Royal Commission on Historical Manuscripts, Pt. i, Appendix* (London: H.M.S.O., 1878), p. 619; and the Inveraray MSS Survey, p. 174, (describing contents of Bundle 494, no. 455), which argues (not surprisingly) that the intention of the Jacobite address of the clans was to 'bear down the D: of Argyll who was the greatest enemy the Pretender and his friends had'; Argyll's use of the threat of Jacobitism in violent speeches in the Lords in 1714 would tend to corroborate this view: BL, Add. MS 47027, f. 89.



out of favour because he had 'so powerful an Enemy at Court'.<sup>166</sup>

#### IV

As George I made preparations for a lengthy visit to Hanover in early July a critical power struggle ensued among figures in the Whig leadership who were antipathetical towards Orrery, resulting in jostling for positions in numerous areas which included him as one of its victims. Before the King departed it was widely circulated that some 'removes' at court could be expected.<sup>167</sup> In the third week of June the earls of Orrery, Selkirk, and Orkney were discharged as Lords of the Bedchamber.<sup>168</sup> Again the timing of Perceval's remarks is significant; as early as 23 June he had warned of imminent expulsions at court. In the very same letter he announced the removal of Orrery and the aforementioned peers.<sup>169</sup> Soon thereafter, on 30 June, came news of Argyll and Ilay's dismissal.<sup>170</sup>

Argyll's fall has traditionally been attributed to the machinations of Sunderland. Yet, when the forces behind these court removals are carefully traced, they demonstrate that Townshend was instrumental behind Orrery's ruin as well as attempts to eradicate Argyll's influence at court. Townshend's involvement is confirmed by the detailed account found in the diary of the wife of the ex-Lord Chancellor, William, 1st Earl Cowper.<sup>171</sup> Lady Cowper's dislike of Townshend reflected her mistress's opinion,<sup>172</sup> but Lord Cowper himself condemned Townshend for his 'disobliging manner and contracting so many preferments into the narrow bonds of his own creatures and relations', therefore, exhibiting the same type of greed and

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<sup>166</sup>BL, Add. MS 47028, f. 112.

<sup>167</sup>BL, Add. MS 47088, ff. 161-62. In August the Bishop of Gloucester remarked to Archbishop Wake: what 'your Grace hinted at to me about Changes at Court has now begun to show itself': see Christ Church, Wake MS 20, Misc. Letters, f. 121.

<sup>168</sup>BL, Add. MS 47088, ff. 161-62; HMC, *Stuart*, ii, 290; Pointer, iii, 912, gives the date as 22 June; cf. BL, Add. MS 17677 KKK-1, f. 324.

<sup>169</sup>BL, Add. MS 47028, f. 157v; BL, Add. MS 47088, ff. 62. The same letter mentions the award of three titles to Cadogan. BL, Add. MS 47028, f. 159v, Perceval's letter of 4 July stated that Selkirk and Orkney were 'yet continued' but said nothing of Orrery.

<sup>170</sup>SRO, GD220/5/821/12; Boyer, *Political State*, xii, 107; *Scots Courant*, 30 June 1716.

<sup>171</sup>Lady Cowper was Lady of the Bedchamber to the Princess of Wales for several years. For Cowper's own views and position during the Succession years see David Lemmings, 'Lord Chancellor Cowper and the Whigs, 1714-16', *Parliamentary History*, ix (1990), 163-74.

<sup>172</sup>Argyll's wife became one of the Princess of Wales' ladies in waiting after his dismissal, yet this did not prevent the Princess from exhibiting extreme dislike of the duke. She also condemned Townshend as the 'sneeringest fawningest knave that ever was', a man 'who ever strove to put on a Mask, which is no better than an Ass's Face': see *Diary of Mary, Countess Cowper*, pp. 88, 114.

favouritism which had provoked criticism of Argyll and Ilay.<sup>173</sup> Cowper's reservations aside, he and Townshend were reconciled on 20 June. A week later Cowper learned that George I wanted to humiliate the Prince by forcing him to dismiss Argyll and banish him from court. Initially the Prince stubbornly refused,<sup>174</sup> despite humble professions and pleas from Sunderland and Townshend that they would be 'undone' if Argyll was not ejected. By late June, however, the Prince had begrudgingly resolved to 'sacrifice everything to please and live well with the King so will part with the Duke of Argyle, Ilay & etc.'<sup>175</sup> Argyll resigned as Groom of the Stole on 3 July and attempted to relinquish his key to the Prince's closet but it was refused.<sup>176</sup>

Argyll also made overtures to George I and wangled a brief private meeting the day of the latter's departure, but by most accounts got an icy reception.<sup>177</sup> Additional, conflicting reasons for Argyll's dismissal abound. Lady Cowper recorded that the 'true Secret' of Argyll's removal stemmed from Marlborough's debilitating stroke, which rendered him unable to dominate the army.<sup>178</sup> Other accounts argued that Argyll's expulsion derived from his arguments in Council for the Prince to exercise more powers as Regent, which, considering Argyll's powerful influence, would have rendered him a principal adviser in the king's absence.<sup>179</sup> A final ironic story which fully indicated Townshend's duplicity and scheming nature (and perhaps reasons for the Princess' aversion to him) is that Townshend had sought to throw in his lot with Argyll until learning of plans for his removal, when he then became one of Argyll's most vocal opponents.<sup>180</sup>

Orrery's exact position in this royal shake-up is ambiguous and more implicit than

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<sup>173</sup>Lemmings, 'Cowper', pp. 165-66; SRO, GD220/5/382/2.

<sup>174</sup>Mountstuart House, Rothesay, Isle of Bute, Marquess of Bute, Loudoun Papers (NRA(S) 631 Microfiche Survey examined at SRO), Bundle A541, [Loudoun] to James, 2nd Earl of Bute, 5 July [1716]; the Prince met with his father at least twice to discuss Argyll's removal: Leicester RO, Finch MS, Box 4950, Bundle 24. Edward Southwell to Nottingham, 5 July 1716.

<sup>175</sup>*Diary of Mary, Countess Cowper*, pp. 107-09.

<sup>176</sup>BL, Add. MS 47028, f. 159.

<sup>177</sup>SRO, GD220/5/82/15; Boyer, *Political State*, xii, 115. The Duke of Montrose claimed George I himself struck Argyll's name off the civil establishment list: SRO, GD220/5/82/13a. For the French ambassador's accounts of Argyll's fall see AECF 282, f. 23v, 6 July 1716, N.S.

<sup>178</sup>*Diary of Mary, Countess Cowper*, p. 120.

<sup>179</sup>Beattie, *Court*, pp. 229-30; Michael, i, 221-22.

<sup>180</sup>*Diary of Mary, Countess Cowper*, p. 114. The French envoy believed the Princess of Wales was largely responsible for Argyll's dismissal: AECF 289, ff. 243v-44. George I's biographer reports that Walpole and Townshend were both afraid of Argyll's intrigue against them: Hatton, *George I*, p. 198.

obvious. Little proof exists for him attending court as frequently as Argyll. He was, however, hostile to Cadogan and Marlborough and most assuredly disliked by Walpole and Townshend and, therefore, at least three generalisations can be made about his decline in court influence. It was very likely an element of Argyll's disgrace and part of the general army and court 'removes' of the summer of 1716. Similarly, Orrery fell victim to Whig hostility towards Tories and court Whigs associated with the previous ministry. These inferences are confirmed when numerous factors are considered, such as the involvement of the same people in both men's dismissals. Lady Cowper's account is largely corroborated by Townshend's own comments; in late June he informed Walpole that although he might be 'surprised at Argyle's disgrace' it was 'absolutely necessary.'<sup>181</sup> A few days later Townshend reported the Prince's decisive step of removing Argyll and that 'everything is perfectly easy'.<sup>182</sup> Orrery's longstanding links to Argyll need no amplification, but it is interesting that on 2 July O.S., the French resident in London commented that Ilay, Argyll, and 'Orreri leur any part.er ont esté en même temps quelquy destituer de leur changes'.<sup>183</sup> Neither Orrery nor Argyll appears to have posed as grave a threat to Stanhope or Sunderland as they did to the other pair of the King's four principal ministers. Stanhope's reaction to their dismissal sheds little light on his input.<sup>184</sup> Sunderland confessed that he had supported Argyll's removal but opposed the manner in which it was achieved.<sup>185</sup> Sunderland's genuine sentiments on Orrery's dismissal are another mystery, but it is known that in early 1715 he described Orrery as hailing from a family 'generally in the true interest of their country'.<sup>186</sup>

Townshend's own papers verify his role in helping to remove Orrery as Lord of the Bedchamber as well. A memorandum entitled 'Proposed alterations in the Cabinet' specifically designated that Lord Leicester would 'replace Orrery as Lord in Waiting.'<sup>187</sup> Shortly thereafter, on 8 July, Orrery's place was officially assumed by Leicester,<sup>188</sup> although Orrery

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<sup>181</sup>BL, Egerton MS 3124, f. 107, 29 June 1716, O.S.; on 8 July Lady Cowper learned from the Duchess of Munster herself that Argyll was ousted because 'the Ministers had put the King upon it': *Diary of Mary, Countess Cowper*, p. 112.

<sup>182</sup>BL, Add. MS 9149, f. 23. 'Private', Townshend to Horatio Walpole, 3 July 1716, O.S.

<sup>183</sup>AECP 289, f. 244. Iberville to Huxelles, 13 July 1716; cf. similar comments in AECP 282, ff. 438-39.

<sup>184</sup>The Duke of Montrose describes a letter Stanhope wrote to Argyll soon after the latter's removal as 'verie laconic': SRO, GD220/5/82/13b.

<sup>185</sup>*Diary of Mary, Countess Cowper*, p. 116. Lady Cowper doubted the sincerity of these comments.

<sup>186</sup>BL, Add. MS 61652, f. 255.

<sup>187</sup>Dated simply July 1716, the memo is in HMC, *Townshend*, p. 102.

<sup>188</sup>AECP 282, ff. 38-39; AECP 289, ff. 235, 244; *Scots Courant*, 11-13 July 1716, report from

did receive his final quarterly salary payment later in the year.<sup>189</sup> Exactly how and why Orrery was replaced is more complex. Budgell reported Orrery resigned after writing an earnest letter to the King on 28 June.<sup>190</sup> Another account blamed Walpole for circulating a false report of Orrery's disgrace, which in turn induced him to write 'offering to resign his employments, if not permitted to act and speak conscientiously'.<sup>191</sup> The letter's date is significant, for Lady Cowper's entry reporting that the Prince was to displace 'Argyle, Ilay & etc.' mentioned that three lords would be turned out and was also dated 28 June.<sup>192</sup>

Although Walpole's involvement can not be verified, accounts of the resignation letter can. Fortunately a copy of Orrery's letter has survived and it too is found among transcripts of Townshend's papers. Orrery began his letter by justifying its existence, stating that he had written it because he feared he could not erase from George I's mind 'les Impressions que la Malice de quelques gens y a faites contre moi'. Orrery suspected that the 'Crime dont on accuse apparentment' was disagreement with some of the King's unnamed ministers on issues not specified. Orrery defended his actions with the rather banal claims that he acted 'seulement à cause que je leai au ou irrégularité ou préjudiciable aux Interets de votre Majeste', and that the ministers' policies had caused discord and confusion and would naturally raise suspicion among one like Orrery, who was ever vigilant against ministers whose actions ran counter to 'les règles d'une bonne politique'. Insisting that he acted out of principle and 'un desinteressment et un zèle inviolable' at the hazard of losing all his employments, Orrery implied that he had not solicited for the preferments he enjoyed under George I, and that those who had interceded on his behalf for them were obligated to inform the King that Orrery spoke his mind and conscience freely. Orrery then affirmed that rather than perform services which George I found disagreeable he would quit the highest employment of the kingdom, and therefore, would resign his bedchamber post. Apparently less eager to part with his regiment out of 'principle', Orrery wrote that if George I 'voulez encore dernier mon Regiment à un autre', then he at least begged permission to dispose of it, a gesture

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London, dated 6 July. Pointer, iii, 926, dates Leicester's replacement of Orrery as 8 July 1716. He enjoyed the post until George I's death and also held the Lord Wardenship of the Cinque Ports. Leicester was also awarded the Captaincy of the Yeomen that was taken from Orrery's friend, Lord Uxbridge: see above, p. 278.

<sup>189</sup>*CTB*, xxxi, 123, prints a Money Warrant on Orrery's annuity for the period from 29 Sept. 1716 to 26 Jan. 1717, after his replacement.

<sup>190</sup>Budgell, pp. 214-16.

<sup>191</sup>*Memoirs of Atterbury*, i, 385.

<sup>192</sup>*Diary of Mary, Countess Cowper*, p. 108; see above, p. 283. Was Orrery the 'etc.'?

universally allowed unless the colonel involved had committed some 'Crime considerable' and one Orrery expected he would receive after all his proofs of ardour and fidelity for the Hanoverians. The letter's final paragraph is probably the most interesting. Its tone betrays that Orrery almost certainly hoped his resignation would be rejected and that George I, moved by his frankness and unselfish disinterest, would after 'faisant reflexion sur ce que j'ai écrit et ici et à mi lord Townshend me trouvera digne encore de votre Service' and that Orrery would be allowed to keep his employments.<sup>193</sup>

Orrery's letter is a critically important source in a period for which his extant correspondence is virtually non-existent, yet its effectiveness and sincerity are open to question. It would seem that even if George I did receive and read it, rather than Townshend or some other courtier preventing its reception, that he was not sufficiently moved to intercede on Orrery's behalf.<sup>194</sup> Whether this was attributable to George I's personal distaste for Orrery or because of the latter's well-publicised affinity for Argyll is impossible to prove. Orrery's old Alienation Office sinecure, which had been held after a renewed patent in October 1714, was also evidently relinquished at this time.<sup>195</sup> In light of the letter's comments, the ironic circumstances and aftermath of his removal as Colonel of the Royal North British Fusiliers add a military dimension to the Whig purge of office-holders which affected Orrery in 1716 and it merits further analysis.

After the embarrassing events of mid-1713, Orrery's regiment had remained in garrison in Bruges until 1714.<sup>196</sup> Recalled from Flanders and ordered to report to England as an added security measure prior to George I's arrival from Hanover, the Fusiliers were then reduced from 12 to 10 companies.<sup>197</sup> On 25 March 1715 the regiment was placed on the Irish

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<sup>193</sup>A copy of the letter can be found in BL, Add. MS 9148, ff. 205-06. Orrery to the King, (French) 28 June 1716, London.

<sup>194</sup>Hatton, *George I*, p. 194, records that the king was quite fond of Townshend in mid 1716, yet, at the time of Orrery's resignation, George I refused to heed Townshend's urgings about the danger of leaving England: Coxe, *Walpole*, ii, 51; *idem*, cited in Williams, *Stanhope*, p. 198. The possibility of animosity arising from the coincidence that Orrery assumed Townshend's place at The Hague in early 1711 also seems worth considering.

<sup>195</sup>PRO (Kew), T 54/24/239, 'Miscellaneous warrants Not Relating to Money'; *CTB*, xxix, pt. 2, 338, 563-64; *idem*, xxxi, pt. 2, 417, suggest that Boyle's deputy, William Jessup, took control of the Office on 20 Oct. 1714, but an abstract of accounts from the Office which designated Orrery as Receiver General is dated 14 Dec. 1715: *Calendar of Treasury Papers, 1714-1719* (6 vols., London: Longmans, & Co., 1888), v, 162-66.

<sup>196</sup>PRO, WO 4/16/159, shows that it had 613 effectives as of 27 April 1714.

<sup>197</sup>PRO, WO 4/17/7; PRO, WO 26/14/171, 212; PRO, WO 55/346/147; BL, Add. MS 70168, n.f. 'Proposed Reduction to be made from the Forces in Flanders and Spain', [n.d.]; and *An Alphabetical Guide to Certain War Office and Other Military Records* (New York: Kraus Reprint Ltd. 1963), App. ii, 523. For the miserable condition of the impoverished broken companies, see *Works*

establishment, but it remained in Britain until the end of May.<sup>198</sup> At the outbreak of the Jacobite rebellion, Orrery's Fusiliers were among several regiments brought to England to be transferred to Scotland and oppose the Jacobites.<sup>199</sup> When it was recalled from Ireland it was also augmented back to its original strength of 12 companies.<sup>200</sup> As colonel Orrery was responsible for arranging the regiment's transport.<sup>201</sup> After the dissolution of the Jacobite forces, elements of the regiment remained in Scotland.<sup>202</sup>

In July 1716, corresponding with his removal as Lord of the Bedchamber and alluded to in his letter to George I, Orrery's regiment was taken from him, or rather, he was induced to sell his commission.<sup>203</sup> This blow was doubly humiliating because the Fusiliers were awarded to none other than Macartney,<sup>204</sup> one of the cashiered officers from 1710 who was now exonerated of murder charges stemming from his role in the Hamilton-Mohun duel.<sup>205</sup> Orrery had been involved in efforts to apprehend the fugitive general in Flanders.<sup>206</sup> Marlborough had interceded for permission for Macartney to return to England since the autumn of 1714 and had finally succeeded in convincing the king to allow it a year later.<sup>207</sup> In April 1716 Macartney lodged a case in the Court of King's Bench to reverse the murder charges against him. After his conviction on the reduced charge of manslaughter and he was punished by being burned on

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of *Southerne*, ii, 443. Southerne to Henry Watkins, 10 June 1713.

<sup>198</sup>CTB, xxix, pt. 2, 269, 442, 650-51; *ibid*, xxx, 132, 396. For payment for the transfer from Ireland to Scotland, see *ibid*, p. 72.

<sup>199</sup>BL, Add. MS 61652, f. 307v; PRO, WO 4/16/159, 229; PRO, SP 54/8/182; NLS, MS 2964, ff. 251-52; *More Culloden Papers*, pp. 40-41; E.O. Dodgson, 'A Reported attack Upon Fort William in 1715', *Scottish Historical Review*, xxxiv, (1955), 86-90.

<sup>200</sup>PRO, WO 55/346/196.

<sup>201</sup>PRO, WO 4/17/92; Knight, i, 92.

<sup>202</sup>One battalion of Orrery's was garrisoned at Inverness throughout the first part of 1716: BL, Stowe MS 228, f. 235; HMC, *Stuart* ii, 29; *Scots Courant*, 17-19 Feb. 1716.

<sup>203</sup>In addition to Orrery's letter to George I, BL, Add. MS 22264, f. 129; and *George the First's Army*, i, 202, specify that Orrery resigned and lists him among officers who were displaced or given leave to sell.

<sup>204</sup>HMC, *Stuart*, ii, 290. Fanny Ogelthorpe to Mar, 19 July 1716. Macartney assumed official command 12 July; Millan, p. 8; Leslie, p. 63; Buchan, *Royal Scots*, pp. 81, 463; Cannon, *Record of the Twenty-First Regiment*, p. 19; cf. Pointer, iii, 952.

<sup>205</sup>Macartney had fled abroad with a bounty of £1100 on his head after the Mohun-Hamilton duel, of which there are good accounts in Lady Caroline Newton, *Lyme Letters, 1660-1760* (London: William Heinemann, 1925), pp. 237-38; Hearne, iii, 486-87; and Dickinson, 'Mohun-Hamilton Duel', pp. 159-65.

<sup>206</sup>In March 1713 Orrery wrote that Macartney had been reported in Antwerp 'openly and without disguise' in a Coffee House without even disguising his name: PRO, SP 77/62/87-88. Orrery to Bolingbroke, Brussels, 2 March 1713, N.S.

<sup>207</sup>HMC, *Portland*, v, 502; BL, Add. MS 47027, f. 185; *Letters of George Lockhart*, p. 118. For a brief account of Macartney's career see *Army Lists*, vi, 302, n. 7.

the hand in mid-June,<sup>208</sup> he was reportedly 'every day at Court and in great favour'.<sup>209</sup> This favour was manifested on 30 June when Macartney kissed the King's hand for Orrery's regiment.<sup>210</sup>

Perhaps the ultimate ironic revenge against one of Marlborough's leading antagonists, Macartney's retribution did not stop with his acquisition of Orrery's regiment. The following year saw the initiation of a complex series of proceedings against Orrery for malfeasance in the regiment's administration resulting in improprieties and the misappropriation of funds designated for recruiting and the purchase of clothing. The proceedings were heard at meetings of the Board of Clothing Committee, a select group chosen periodically by the Board of General Officers. Ironically, Orrery himself served on the Clothing Board for a time in 1715,<sup>211</sup> and throughout the initial months of 1716 the Board of General Officers as well as the Clothing Board contained figures favourable towards Orrery and at times even included Argyll.<sup>212</sup> After 1715 the Clothing Board's business fell behind because of apathy, the lack of a quorum, and consequent irregular meetings, but this soon changed largely because of alterations in the membership of the army hierarchy.<sup>213</sup> By summer, not only Macartney,<sup>214</sup> but Meredith, who had been forced to sell his regiment to Orrery in 1710, had become members of the Board of General Officers,<sup>215</sup> on which Orrery was not listed after November 1716.<sup>216</sup>

Accompanying these changes in the political inclinations of the Board's membership was increasing pressure for a stricter accounting of clothing and military finances in general,

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<sup>208</sup>*Scots Courant*, 27-30 April, 18-19 June 1716; PRO, SP 35/5/51; Oldmixon, *History*, pp. 619-21.

<sup>209</sup>HMC, *Stuart* ii, 113. J. Menzies to [L. Inese], 18 July 1716, O.S. It was thought Macartney would get the Scotch Foot Guards.

<sup>210</sup>AECP, 282, f. 80. 23 July 1716; Boyer, *Political State*, xii, 108. Rumours of Macartney's receipt of the regiment circulated several days prior to 30 June: see the report from London dated the 26th, in *Scots Courant*, 29 June-2 July 1716. A later issue of 25-27 July announced that Macartney had also been commissioned Lt. General.

<sup>211</sup>PRO, WO 7/24/11, 28, Clothing Board minutes for meetings held in June and Dec. 1715. Orrery's friend Lord Windsor, and Lord Deloraine also served at this time. Deloraine had formerly been known as Lord Scott, and had received his regiment at the same time Orrery had been commissioned in 1704. He was at this time serving as a Lord of the Bedchamber to the Prince of Wales: *Diary of Countess Cowper*, p. 102.

<sup>212</sup>Argyll was named on the Board for meetings held in January and April 1716: PRO, WO 81/1/n.f.; PRO, WO 30/22/9.

<sup>213</sup>PRO, WO 7/24/13, 23.

<sup>214</sup>Macartney served on the Clothing Board throughout 1717-1718: PRO, WO 7/24/53, 57, 66, 70, 100.

<sup>215</sup>PRO, WO 81/1/ n.f., June-Sept. meetings. See above, Ch. 4, pp. 114-16.

<sup>216</sup>PRO, WO 26/14/261-62; PRO, SP 41/5/299-300.

and enquiries with this aim were well underway by early 1717.<sup>217</sup> A few months earlier the Secretary at War reported a case of regimental arrears amounting to a great debt borne by Macartney's new regiment '[which debt is] attributed in great measure to a sum of money withheld by the Earl of Orrery, the preceding colonel, which ought to be paid and applied by him to the clothing'. The Attorney General was to determine if there was sufficient grounds for prosecuting Orrery to recover the sum.<sup>218</sup> After this was confirmed, in its meeting on 21 May 1717 the Clothing Board heard a petition from Macartney himself which levelled damning allegations at the Fusiliers' previous colonel. Describing the 'ill state' of his regiment's clothing, Macartney maintained that it had not been properly outfitted since August 1715, which meant it had endured a winter campaign in the glens of Scotland with inferior uniforms. The regiment's 'very Miserable and naked Condition' was so serious that it desperately needed 'all sorts of Cloaths and Accoutrements (as if to a new rais'd Regiment', and consequently, Macartney had no alternative but to present a cause against Orrery for a sum of £1,800 which had evidently been misapplied. Now largely composed of generals loyal to Marlborough,<sup>219</sup> the Board approved the regiment's accounts and upheld Macartney's claims.<sup>220</sup>

Details of the claims and arrears against Orrery were in reality far more complex than outlined in Macartney's petition. The Fusiliers' substantial arrears were longstanding and Orrery's sole complicity and negligence in their compilation is debatable. There was an imposing sum of arrears outstanding when he acquired the regiment from Meredith seven years earlier.<sup>221</sup> Further complicating matters was a controversy involving arrears due to Orrery's previous regiment. In March 1714 Orrery was deemed accountable for arrears due to Major General Sybourg for a sum of 16,119 guilders, which had been entrusted to a Lieutenant Baines in 1712. What happened to Baines and the money is unclear, but the sketchy evidence suggests

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<sup>217</sup>After June 1717 the Secretary at War was to receive reports from every meeting: PRO, WO 4/19/158-61; PRO, WO 7/24/104. For changes in administration during George I's reign see Alan J. Guy, 'Regimental Agency in the British Standing Army, 1715-1763; A Study of Georgian Military Administration', *The Bulletin of the John Rylands Library*, lxii (1980), 435-39; and James Hayes, 'The Royal House of Hanover and the British Army, 1714-1760', *The Bulletin of the John Rylands Library*, xl (1957-58), 328-57.

<sup>218</sup>CTB, xxxi, 99.

<sup>219</sup>Other members sitting at the time of Macartney's petition included veterans Sabine, Orrery's own kinsman, Viscount Shannon, and General George Wade: PRO, WO 71/3/231.

<sup>220</sup>See the minutes from this meeting in PRO, WO 71/3/223-24, 231. Southerne's possible role in the misapplication of funds is discussed in Jordan, 'Southerne', pp. 19-21.

<sup>221</sup>It is also interesting to note that in 1711 Meredith turned over a fortune of thousands of pounds to an acquaintance who invested the sum in the stocks, only for it to be completely lost the following year: *Journal to Stella*, ii, 502.



that he never applied the sum as ordered.<sup>222</sup> Treasury delays resulted in a sum of £15,000 in arrears to Orrery's regiment for service in Flanders from 1711 to 1712, and £8,600 for service from December 1712 until the regiment was transported from Bruges in 1713.<sup>223</sup> There were also allegations of embezzlement by the Fusiliers' paymaster, who was court martialled for such charges while the mutinous regiment was garrisoned in Bruges in 1713.<sup>224</sup> Moreover, not only the validity, but the final outcome of the proceedings against Orrery remains unclear. His previous expences and problems in collecting his diplomatic salary and pay as general officer certainly imply the possibility of financial straits during this period,<sup>225</sup> and colonels could usually expect to earn from £500 to £700 per year from offreckonings in the supply of their regiment beyond their regular pay.<sup>226</sup> Relevant volumes for the Board of Clothing Accounts and the Board of General Officers contain no further references to Macartney's claim,<sup>227</sup> suggesting that Orrery paid off the arrears personally.

None the less, the accusations against Orrery are so extraordinarily coincidental that their validity warrants scepticism. Another complicating factor in the charges which may suggest personal pique stems from the fact that Macartney had been awarded the regiment which Orrery had originally commanded from 1704 to 1706 after its colonel had been killed at Malplaquet. Presented by a notorious Whig general with an unparalleled reputation for unscrupulous behaviour,<sup>228</sup> and supported by the Clothing Board which included the very same general who had lost the Fusiliers to Orrery in 1710,<sup>229</sup> the accusations are extremely

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<sup>222</sup>Orrery sent his agent before a meeting of the Board of General Officers in March 1714 to attest to these facts: PRO, WO 71/3/76-78.

<sup>223</sup>These sums were still wanting in June 1716: *CTB*, xxx, pt. 2, 262, Treasury warrant dated 11 June 1716, and p. 337. *CTB*, xxxi, pt. 3, 854, lists these arrears.

<sup>224</sup>PRO, WO 4/18/286.

<sup>225</sup>Orrery's bank accounts have survived fairly intact for the 1720s and are found in the archives of Hoare's Bank, London, MS Ledger Books 22-27, and 29-31. None have been traced for this earlier period. It is known that he sold 3,500 shares of south Sea Company stock in 1713: NLS, MS 579, f. 281. For further details on his personal finances see below, Chs. 10-11.

<sup>226</sup>BL, Add. MS 17494, f. 31; Guy, p. 438, n. 2.

<sup>227</sup>PRO, WO 7/24, Copy Book of Letters from the War Office to the Board of General Officers, Jan. 1715-1727; PRO, WO 7/122, Secretary of State's Letterbook, Clothing accounts, March 1716 to Jan. 1747, and the Deputy Commissaries, 16 March 1716-6 Sept. 1748; PRO, WO 71/3, Proceedings of the Board of General Officers: Courts-Martial Proceedings, 1688-1850; PRO, WO 72/1, Letters & Miscellanea 1696-1850, correspondence Relative to Courts Martial, (nine unfoliated bundles); PRO, WO 81/1, Judge Advocate General's office letterbooks, 22 Oct. 1715-29 Nov. 1720; and PRO, WO 71/14.

<sup>228</sup>See above, Ch. 3, p. 90, n. 126; and *Army Lists*, vi, 164. Macartney's son exhibited the same kind of dissolution and vulgarity for which the father was known: BL, Add. MS 47028, f. 209v.

<sup>229</sup>By 1718 Honeywood rounded out the trio when he joined his comrades on the Board of General Officers: see minutes for the meeting of 21. Jan. 1718 in PRO, WO 81/1/n.f. Another

dubious, especially when compared with charges lodged against other officers of the wrong political persuasion. Orrery's acquaintance, Lord Windsor, also lost his regiment around the same time and for similar reasons,<sup>230</sup> despite the fact that Marlborough himself had reckoned Windsor's regimental accounts in such fine shape that the regiment actually enjoyed a surplus.<sup>231</sup> Orrery's own regimental accounts were confirmed as in order in 1715,<sup>232</sup> and during the same period a letter from Marlborough suggests he was assisting in some matter pertaining to Orrery's regiment.<sup>233</sup> Furthermore, Marlborough and his cronies practised corruption of massive proportions, the ubiquity of which is demonstrated by evidence showing that his own regiment was reported as going two years without clothing only to then receive goods of such poor quality that some of its troops threatened mutiny.<sup>234</sup> Disgraced at court and deprived of his command and offices,<sup>235</sup> Orrery was left with few options but to fall in with an Opposition group forming under Argyll's leadership and which paid frequent tribute to the Prince of Wales.

Orrery played an active role in this opposition activity, since he and Argyll both benefited from intimate knowledge of the court and acquaintance with the Prince. In late 1716 Orrery probably never dreamed that he would fail to regain court favour, yet 'caballing' and formulation of opposition strategies against the government proved to constitute his political activities for the rest of his life. His rise to power at George I's court was, in

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member possibly hostile to Orrery was Wade, who had received a brigadier's commission in 1709 that in the process bypassed Orrery and a number of other officers, and drew subsequent complaints from Bolingbroke: HMC, *Portland*, iv, 575; and above, Ch. 4, pp. 108-09.

<sup>230</sup>*Scots Courant*, 7-9 July 1716, the same issue (and report) that reported Macartney receiving Orrery's regiment also announced the award of Windsor's Regiment of Horse being awarded to Stair.

<sup>231</sup>PRO, WO 7/24/18-19.

<sup>232</sup>They are abstracted and the amount in arrears shown in *CTB*, xxix, 734-35, 760-63.

<sup>233</sup>OPH, MS Eng. 218.27, ff. 144-45. Marlborough to Orrery, St. Albans, 23 Jan. 1715. This letter is the last extant one the duke seems to have written Orrery and does not specify exactly what the matter concerned.

<sup>234</sup>Royal Commission on Historical Manuscripts, *Report on the Lyons Collection of the Correspondence of William King (1650-1729)* (3 vols., London: H.M.S.O., 1987), ii, n.p. # 1610. John Jephson to King, 2 April 1715, relates how Marlborough's regiment of Guards were provided with shirts that were 'coarser than coarsest bundle cloth' and so provoked some of the soldiers that they tossed the shirts into George I's garden 'with libel pinned to them'. Marlborough blamed the undertaker, a man who, interestingly enough, was named Churchill, and ordered the provision of new clothing. For accounts of military corruption in general see BL, Add. MS 70171, n.f. Sr S: H\_\_\_\_\_ to Oxford, 11 Dec. 1713; and Godfrey Davies, 'The Seamy Side of Marlborough's War', *HLQ*, xv (1951), 21-44.

<sup>235</sup>Orrery remained eligible to sit on the Privy Council, but there is little evidence to suggest he attended meetings after the summer of 1716: HMC, *Cowper*, iii, 117; cf. below, Ch. 10, p. 433, n. 230

a sense, meteoric; his fall from grace was just as swift. The ongoing rivalry with Marlborough and Orrery's close ties to Argyll combined to play an important role in both. Charges of improprieties in his troops' clothing monies may be more substantial, yet they must be seen in the light of an age wherein the colonelcy of a regiment was perceived a perquisite, and 'skimming off' of portions of off-reckonings by colonels an accepted, widespread practice. Unlike Marlborough, and his friend, James Bridges, Paymaster General of the Armed Forces (later created Duke of Chandos), Orrery does not appear to have derived substantial profits from the embezzlement of funds with which he was entrusted. The charges against him in 1716 by Whig generals with ample reasons for vendettas seem more an element of party recriminations, much like the Tories' cashiering of the officers in 1710 which had supplied Orrery with such great benefits, than allegations with factual basis. The most plausible explanation for Orrery's fall remains his military past and his links with Argyll. The Prince's personal fondness for Argyll and ministers' fear of him continued to cause clashes with the King and largely contributed to a public breach between father and son which lasted for several years, ultimately leading to a bitter schism between the leading whigs themselves that saw Walpole and Townshend both cast out. When Argyll's political bargaining garnered his return to court graces a year later, his friend Orrery would not accompany him, and instead remained a political pariah. As the next chapter will illustrate, Orrery appears to have thought himself without any alternative but to veer to the opposite political extreme and embrace the Stuart Pretender's cause.

What do Lord Townshend and Walpole mean? What end can they propose to themselves? The Duke of Argyle's is a mad part; but he acts consequentially and I can conceive what he would be at. For all the rest of us, we seem to be unaccountably mad, without any system or design.

*Misc. State Papers*, ii, 556. Stair to James Craggs, 4 Jan. 1717, N.S., Paris.

Some people foresee mighty difficulties in any scheme that can be proposed for overturning a formed government, though never so odious and despicable, others, that would be willing to enter on proper measures to shake off the present load almost at any hazard, have yet terrible apprehensions about Religion. If I was enabled from the best hand to open in proper places and at proper seasons so much of the design and of the methods proposed for effecting it, as I should judge necessary for convincing some cautious peoples of the probability of success, and was authorized too to give all possible assurances of the real intentions to secure and encourage the established Religion, I might perhaps be qualified to do my country some service.

RA, Stuart Papers 25/54. Orrery to Mar, 11 Dec. 1717.

'Tis incredible what prejudice all these Sales of Offices and other underhand dealings occasion to the King's Service; for to compleat our misfortunes I have remarked that there is no distinction or persons or circumstances, Jacobites, Tories, Papists at the Exchange or in the Church by land or by Sea, during the Session or in the Recess, nothing is objected to provided there is money.

BL, Add. MS 9149, ff. 143-44. James Craggs to Sir Luke Schaub, Whitehall, 30 June 1719, O.S.

Compared to the status Orrery enjoyed just two short years earlier, his position had changed drastically by the summer of 1716. After briefly enjoying court influence and the most lucrative places he possessed during his entire life, he found himself again on the outside looking in, just as did many Tories who had been prominent during the previous reign. Consequently, the forced resignations of 1716 were the beginnings of Orrery's gradual drift towards Jacobitism and ultimate political oblivion. His association with Argyll and their formation in 1716 of the nucleus of what became known as the 'Prince's Party' were the first steps in this process, which was not only a natural reaction to their dismissals, but to infighting among the Whig leadership in the King's absence, opposition to Britain's naval involvement in a war motivated by Hanoverian territorial aspirations in the Baltic,<sup>1</sup> and shifts in Britain's diplomatic alignment to an alliance with the French after the death of Louis XIV in 1715.<sup>2</sup> As Secretary of State for the North, Townshend was personally committed to a pro-Dutch position and frustrated attempts to complete a new treaty at The Hague. His

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<sup>1</sup>For these changes see John J. Murray, *George I, the Baltic and the Whig Split of 1717: A Study in Diplomacy and Propaganda* (Chicago: University of Chicago Press, 1969); Derek McKay, 'The Struggle for Control of George I's Northern Policy, 1718-1719', *Journal of Modern History*, xliii (1973), 367-86.

<sup>2</sup>For the terms of the Anglo-French accord of 1716 see L.G. Wickham Legg, ed., *British Diplomatic Instructions, 1689-1789*, vol. ii, *France, 1689-1721* (London: Camden Society, 1925), pp. xxv-xxviii.

actions, compounded by George I's suspicions of Walpole and Townshend's scheming with the Prince, roused the king's anger. The ministers' professions denying involvement with Argyll were to little avail.<sup>3</sup> Countered by rumour-mongering from supporters of Sunderland and Stanhope, George I's wrath led to Townshend's removal and demotion to the vice-royalty of Ireland. By May 1717 Walpole and Townshend were both voting in Parliament along with the Argyll/Ilay faction as well as the Tories in concerted attempts to achieve the ministry's downfall. This internal strife in the Whig party was compounded by the prolonged quarrel between George I and his son which broke out in 1716 and lasted for over three years.<sup>4</sup>

Details of Orrery's activities from 1716 to 1720 are again sketchy because of the absence of correspondence and must be gleaned from observers' reports until late 1717, when Orrery came full circle by embracing Jacobitism and himself began corresponding directly with the Stuart Pretender on a regular basis. Orrery's Jacobite activities were kept fairly secret until 1722, when he was implicated in the celebrated conspiracy involving, ironically, Francis Atterbury, his tutor from Oxford. After a six-month imprisonment during which he languished near death, Orrery was finally released on a substantial bail, and thereafter kept under surveillance which only intensified his natural timidity and excessive caution.<sup>5</sup> Concurrent with increasing importance as a Jacobite plotter, Orrery appears in late 1718 or early 1719 to have had something of a falling out with Argyll, who had decided at this time to accept a deal allowing him and his brother to return to government service. Argyll does not appear to have possessed either the influence or the inclination to intercede for the restoration of his old friend to court graces and reinstatement in royal office. Orrery's evident inability to resume his former intimate friendship with Argyll, or to win the latter over to the Stuart cause--one of the reasons Orrery was recruited in the first place--led Orrery to adopt a permanent, albeit virtually silent, place among the Lords opposition, which was composed of a small tight-knit group of Tory and Jacobite peers with a sprinkling of stubborn Whigs who were unwilling to make concessions that would enable them to resume court attendance and support the ministry. Though nowhere nearly as vocal as his colleagues, he avidly attended the Lords and his name is found on protests in virtually every division which occurred in the Lords after 1717.<sup>6</sup>

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<sup>3</sup>Coxe, *Walpole*, ii, 143, 145, 159-63.

<sup>4</sup>Two of the more recent accounts of the split are found in W.A. Speck, 'The Whig Schism Under George I', *HLQ*, xl (1977), 171-79; and Jeremy Black, 'Parliament and the Political and Diplomatic Crisis of 1717-1718', *Parliamentary History*, iii (1984), 77-101.

<sup>5</sup>For a full discussion of the Atterbury Conspiracy of 1722 see below, Ch. 9.

<sup>6</sup>*Protests*, i, 238-390; Oldmixon, *History*, pp. 647, 656, 658; *Complete Collection of Protests*

Orrery's actions in the political spectrum from 1716 onwards definitively demonstrate that he cannot escape the label of opportunist; his minimal party allegiance was mutable and unpredictable, motivated far more by self-interest than by principles. Still, he should not be judged too harshly by posterity, for in this respect he was a product of his times: an ambitious peer in an age dominated by the aristocracy. Far from completely unscrupulous, his loyalty to the Protestant Succession was apparently genuine until 1716, when he was alienated by partisan vendettas and overt suspicions of his past. Only thereafter did he turn to Jacobitism as a last resort, and this somewhat unsatisfactory explanation seems a rather extreme and perhaps unwarranted reaction to his predicament. More certain is that the Stuart cause which Orrery embraced ultimately tarnished him as a traitor and very nearly cost him his life and estates.

# I

Following Orrery's resignation in June 1716, Parliament was prorogued and did not resume until 20 February 1717. The political situation was anything but stable. Fears lingered that Argyll's dismissal would cause a split in the army among his and Cadogan's supporters.<sup>7</sup> By the following spring these fears had subsided substantially, and the army was regarded as 'untainted' except for the influence of the Prince of Wales, who was himself dominated by Argyll.<sup>8</sup> Upon this Scottish duke's fall from grace the Prince immediately displayed this influence and emerged as the figurehead for an opposition party which formed around him. Argyll was 'constantly' at the Prince's court and 'much in favour', busily sponsoring parties and private balls twice a week.<sup>9</sup> Throughout August 1716 Walpole informed Stanhope of the increasing frequency with which 'Argyle, Ilay &c.', along with Shrewsbury, General Richard Hill and 'other Tories' attended Hampton Court to pay respects to the Prince in George I's absence. As the meetings continued Walpole and Townshend's anxiety over them increased. Reports filtered in about the growing threat this opposition posed, as Argyll's sway over the

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(1747 edition), pp. 188ff.; HMC, *Portland*, v, 571.

<sup>7</sup>BL, Egerton MS 3124, f. 122; Coxe, *Walpole*, ii, 56.

<sup>8</sup>Christ Church, Wake MS 19, f. 236.

<sup>9</sup>BL, Add. MS 47028, f. 161; CKS, Chevening MS U1590, 0145/31; Coxe, *Walpole*, ii, 64; Herts. RO, Panshanger MS D/EP F204, f. 17. Lady St. John to Lady Cowper, 4 Aug. 1716. Argyll's recently-acquired second wife was named a Lady of the Bedchamber to the Princess on 23 Aug. 1716: *Scots Courant*, 27-29 Aug. 1716.

Prince and the duke's scheming with Tories throughout the country to present addresses to him led Walpole to fear that before spring the court would 'be fuller of torys than of the others.'<sup>10</sup>

Disgraced at court and deprived of his command and offices, Orrery was left with few options but to join the dissidents under Argyll's leadership. Undoubtedly active in opposition planning, Orrery may have been among the group's chief architects. He and Argyll were both acquainted with the Prince and possessed intimate knowledge of the court. Orrery's collaboration and close friendship with Argyll are confirmed by a letter from Somerset, another of the 'notable' peers so influential in 1710.<sup>11</sup> Foreign observers circulated rumours of an alliance between Townshend and the displaced Argyll,<sup>12</sup> and Walpole was obliged to write to Hanover defending himself from similar imputations.<sup>13</sup> The most striking evidence for Orrery's participation in this new opposition is found in a letter Walpole wrote only a few months after Orrery's fall:

There is begun a round of dinners, the first was at lord Uxbridge's house in Middlesex, the second at lord Orrery's in that neighbourhood [i.e., Brittwell]: we are told it is to go on, the company, these two lords, duke of Shrewsbury, duke of Argyle, lord Carlton, lord Rochester, Dick Hill, lord Windsor. They all have country houses at about fifteen miles distance, and are frequent attenders at court, and seem to think they have such a prospect as requires and may encourage caballing.<sup>14</sup>

After Townshend's demotion and Walpole's resulting resignation in late 1716, their own defection and the effectiveness of the new Walpole-Townshend and Argyll/Tory coalition were manifested by votes in Parliament.<sup>15</sup> George I's Hanoverian ministers believed that Walpole and Townshend's union with the opposition posed a very real threat to the ministry.<sup>16</sup> Observers felt a Tory ministry was 'very likely', since the Tories had gained 'Strength and spirit' by the 'defection of the disgusted Whigs' who endeavoured to 'perplex' and 'unhinge'

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<sup>10</sup>Coxe, *Walpole*, ii, 61, 66, 75. Hatton, *George I*, p. 198, reports that Walpole and Townshend went to great pains to treat Argyll with courtesy during the summer of 1716.

<sup>11</sup>A letter from Somerset to Ilay dated 13 Dec. 1716, O.S., closes with the duke's request that respects be relayed to both Ilay's brother and to Orrery: Coxe, *Walpole*, ii, 148.

<sup>12</sup>Beattie, *Court*, p. 230, citing a letter from L'Hermitage in AR, Heinsius Archief, dated 22 May 1716.

<sup>13</sup>Coxe, *Walpole*, ii, 144; *idem*, cited in Beattie, *Court*, p. 231.

<sup>14</sup>Coxe, *Walpole*, ii, 78. Walpole to Stanhope, 30 Aug. 1716, O.S. The MS original is in CKS, Chevening MS U1590, 0145/32.

<sup>15</sup>Beattie, *Court*, 225-32. One Oxford observer remarked that after Townshend's fall it was thought that 'all the Tories who have been turned [out], those especially who received their doom by Lord T. will wait upon him to condole with him': HMC, *Portland*, vii, 219.

<sup>16</sup>SRO, GD26/13/161. (Translation), Bothmar to Schutz, 2 April 1717; *idem*, in Christ Church, Wake MS 19, ff. 235-36. For anxiety this letter caused in Oxford among High Church supporters see Bodl., MS Ballard 32, f. 47.

the government.<sup>17</sup> The resumption of the parliamentary session was punctuated with revelations of a Swedish-Jacobite Plot and the reading and publication of incriminating letters from the Swedish envoy.<sup>18</sup> Orrery's attendance was more regular than in 1716, but was still less consistent than in the previous reign. He was absent when a protest against the Mutiny Bill was lodged on 25 March, but he came to Westminster on 29 March to hear the King's answer to an address on the Oxford Riots which had occurred in the summer and autumn of 1716.<sup>19</sup> Following protracted debates which were sparked by the presentation of civic officials' depositions concerning the riots, a motion was passed by 65 to 33 votes stating that the officials had insulted the Prince Regent by failing to recognise his birthday and by printing depositions describing the riots before a Lords committee had considered them: acts thought 'irregular, disrespectful...and tending to Sedition'.<sup>20</sup> Orrery's verbal participation in the debate cannot be detected, but his opposition and keen interest in measures pertaining to the town where he had spent his youth was demonstrated when he acted as teller for the noes and signed the protest against the government's measure.<sup>21</sup> This signature launched the beginning of a long pattern of opposition which continued for the rest of his political career.

Orrery's parliamentary attendance throughout 1717 was usually affected by the nature of business or the committee nominations on a given day. Many committees to which he was nominated were formed to consider petitions or legislation related in one way or another to Irish affairs.<sup>22</sup> This pattern was repeated in subsequent sessions as well.<sup>23</sup> During early June Orrery was absent and missed a division on 6 June on a minor issue, but left his proxy with Lord Windsor.<sup>24</sup> From 24 June onwards Orrery was present for what was probably the major event of the 1717 session: the Earl of Oxford's impeachment.<sup>25</sup> Anticipation of the

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<sup>17</sup>Bodl., MS Add. 269, f. 71. Nicolson to Gibson, 28 Nov. 1717.

<sup>18</sup>The most recent accounts of the Swedish-Jacobite plot are in Murray, *Whig Split*, pp. 285-317; and Fritz, *English Ministers and Jacobitism*, pp. 8-27; also see T. Borenus, 'Sweden and the Jacobites', *Scottish Historical Review*, xxiii (1926), 238-49.

<sup>19</sup>*LJ*, xx, 428-31.

<sup>20</sup>Timberland, iii, 47-50; HMC, *House of Lords*, xii, 364. Much of the trouble in Oxford had actually been started by Whig sympathisers, and continued into 1717: HMC, *Portland*, vii, 222.

<sup>21</sup>HMC, *House of Lords*, xii, 364; Timberland, iii, 50-51; *LJ*, xx, 436-37. As in 1714, Orrery held and presented Viscount Windsor's proxy in this division: HLRO, MS Proxy Book, vii.

<sup>22</sup>E.g., *LJ*, xx, 449, 464, 467, saw Orrery and his kinsman, Lord Carleton, appointed to two respective committees concerned with Irish estates and another considering an estate valuation which had originated in the Alienation Office; cf. HMC, *House of Lords*, xii, 392-93.

<sup>23</sup>See *LJ*, xx, 559, 576, 598, for similar committee nominations in 1718.

<sup>24</sup>*LJ*, xx, 488-93; HLRO, MS Proxy Book, vii, proxy dated 6 June 1717.

<sup>25</sup>*LJ*, xx, 509-25. The most recent study of the vote is Clyve Jones, 'The Impeachment of the Earl of Oxford and the Whig Schism of 1717: Four New Lists', *BIHR*, lv (1982), 66-87.



proceedings ran extremely high and efforts were taken to encourage peers still at their country estates to attend the House.<sup>26</sup> Orrery still believed he had been 'ill-used' by the former Lord Treasurer,<sup>27</sup> but regardless of their disagreements after Orrery's return from Brussels, Oxford anticipated Orrery's vote.<sup>28</sup> Oxford's expectations were not disappointed. Orrery was among a very diverse group of peers who supported the vote that led to Oxford's acquittal.<sup>29</sup> Other peers revealed their willingness to forget past differences in the proceedings as well. Despite their vicissitudes, Argyll and Ilay both spoke out 'very Long & very Sharp' in Oxford's favour,<sup>30</sup> and opposition Whigs also played an instrumental role in securing the acquittal.<sup>31</sup>

When the session resumed in the autumn Orrery was nominated to serve on large committees to consider the House's customs and privileges and to consider and perfect the *Journals*, but this nomination, of course, does not necessarily imply that he actually served. His attendance was again consistent in the following months as was his nomination to serve on various committees.<sup>32</sup> In a hard fought victory on a clause in the government's Mutiny Bill which extended punishment under martial law, Orrery was among 41 peers who protested following each of two divisions on 20 February 1718.<sup>33</sup> Joined by Townshend, Argyll,<sup>34</sup> and

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<sup>26</sup>10 May 1717 was one of a handful of occasions in which letters were written to encourage peers' attendance: BL, Add. MS 42779, ff. 17-18. In mid-June the roll of the House was called twice, as it was when the proceedings began on 24 June: *LJ*, xx, 495, 509-11; yet in the vote on Oxford's impeachment the same day there were still twelve absent peers who had proxies out, ten of whom were excused: HMC, *House of Lords*, xii, xxiii, n. 6.

<sup>27</sup>Budgell, p. 213.

<sup>28</sup>See Oxford's projection list, dated 22 May, in BL, Add. MS 70345, i, n.f.; and the table based upon it in Jones, 'Oxford and the Whig Schism', p. 80, which lists Orrery's affiliation as Tory. Carleton gave Oxford similar assurances of support: HMC, *Portland*, v, 526.

<sup>29</sup>BL, Egerton MS 2543, f. 399; RA, Stuart Papers 21/44, both lists dated 24 June 1717; also HMC, *House of Lords*, 201; and BL, Add. MS 57343, f. 4v, which records how lords voted in Oxford's case.

<sup>30</sup>For this and Argyll and Ilay's speeches in the debate see Bodl., MS Ballard 7, f. 30; *Letter-Books of William King*, iii, (unpaginated). King to Samuel Molyneux, 6 July 1717; *Nicolson Diary*, 627.

<sup>31</sup>A list of how the peers voted was also printed in Defoe's *History of King George I*, pp. 130-34.

<sup>32</sup>See *LJ*, xx, 554-58, and 570, 576-77, 598, for his committee nominations.

<sup>33</sup>With the exception of the Septennial Bill of 1716, this was the largest division in the Lords during the years 1714-1718; *LJ*, xx, 617-24; *Protests*, i, 239-41; Oldmixon, *History*, p. 656 (mispaginated, should read p. 674); HMC, *House of Lords*, xii, 512-16; Daniel Defoe, *The History of the Last Session of Parliament of the Present Parliament* (London: W. Boreham, 1718), pp. 88-95. Also see the printed broadsheet version in the NLS, *Protests of the Forty One Peers against the Mutineers Bill, 20 Feb. 1718* ([London?]: n.p., n.d.), which lists, among others, Whigs such as Argyll, Devonshire, Rutland, the Bishops of Chester, London, Hereford, and Rochester, and peers such as Lords Lumley, Guilford, Scarsdale, Bristol, Gower, and Orrery. Timberland, iii, 82-83, does not list Orrery on the second 20 Feb. protest division which concerned the authority of civil magistrates over army troops, but *cf.* *LJ*, xx, 618.

<sup>34</sup>During the debate Argyll was attacked by Stanhope, who argued that he was 'not like some

other dissidents, Whigs and Tories alike, the opposition to this bill and the divisions were the focus of great struggles in both Houses, and demonstrated the consequences of the Walpole/Townshend faction's defection.<sup>35</sup> When the bill was read a third time Argyll and Orrery again protested in related divisions.<sup>36</sup> Orrery's opposition was maintained in two divisions the following week. He was absent on 5 March, when the St. Giles Church bill was first debated and caused two divisions, as did the debate's resumption on 8 March for the third reading.<sup>37</sup> One of these concerned insertion of the words 'of pious memory' in reference to Queen Anne, momentarily reviving the timeworn Tory battlecry of 'the Church in Danger'.<sup>38</sup> The opposition non-contents carried the first division by a healthy margin but lost the bill's passage by seven votes. These divisions also prompted two protests which Orrery signed.<sup>39</sup> Three days later another division occurred over a bill concerning the disposal of the forfeited estates of the Jacobite lords active in the Fifteen. This measure was carried by only six votes and was of particular interest to the Argyll-Ilay Scottish faction.<sup>40</sup> On 17 March 1718 Orrery protested against the passage of an act for building hospitals and workhouses in Bristol.<sup>41</sup>

Parliament was prorogued for the summer and in the new session which met in November 1718 a debate arose over the wording of a speech of thanksgiving in reference to recent naval victories in the Mediterranean against the Spanish. According to an informed observer, the

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Persons that Chang'd their Opinions according to as they were in or out of Place'. Echoing Orrery's defence of his own behaviour in his 1716 resignation letter, Argyll responded by saying that he 'followed the Ministry when he thought they were in the Right; but went a contrary way at other times': see Timberland, iii, 76-78; cf. HMC, *Portland*, v, 555, which attributes the attack on Argyll to Sunderland.

<sup>35</sup>HMC, *Stuart*, vi, 104. Perceval noted that 'Tories and Walpolites (who now by many are blended together and Stiled the Prince's Party' had opposed the bill: BL, Add. MS 47028, f. 223. Oxford's nephew thought it worth mentioning that Townshend joined in signing the protest: HMC, *Portland*, v, 557.

<sup>36</sup>There were a total of six divisions in the span of three days: Timberland, iii, 88; *LJ*, xx, 621-23; *Protests*, i, 244.

<sup>37</sup>Timberland, iii, 88-90; *LJ*, xx, 640.

<sup>38</sup>*PH*, vii, 893-95; Foord, p. 77.

<sup>39</sup>*LJ*, xx, 638, 643-44; Timberland, iii, 88-90; *Protests*, i, 245-46. Orrery's longtime friend John Sheffield, Duke of Buckingham, headed this protest. For more on their friendship see below, Chs. 10-11.

<sup>40</sup>*LJ*, xx, 649-50; *Protests*, i, 247-49; Timberland, iii, 90-91; and the broadsheet printed version of the protest in the NLS, *Protest against the Passing of the Bill for Sale of the Forfeited Estates* ([Edinburgh?]: n.p., n.d.), listing, among others, Argyll, Ilay, Poulett, Foley, Atterbury, Bishop of Rochester, and Lords Windsor, Mansell, Tadcaster, North & Grey and Orrery. Townshend chose not to sign this protest. For the reasons for the Scots' interest see Townend, 'Scottish Nobility', p. 40.

<sup>41</sup>Ilay was teller for the noes: *LJ*, xx, 653; *Protests*, i, 249-50; Sainty and Dewar, unpaginated division list.

'chief managers and speakers' included Argyll, Townshend, and the Duke of Devonshire among the Whigs, and Tories Lords Strafford and North & Grey. The court won a division over the address by a margin of 14 votes, and a protest which followed saw the signatures of Orrery, Carleton,<sup>42</sup> Ilay, and several other peers.<sup>43</sup> Of even greater long-term importance were the debates and numerous divisions over the government's effort to repeal the Occasional Conformity and Schism Acts.<sup>44</sup> The first reading of the Occasional Conformity repeal bill was debated on 17 December 1718.<sup>45</sup> Characteristically silent during these debates,<sup>46</sup> Orrery protested the commission of the bill two days later,<sup>47</sup> and the third reading on 23 December, joining the Archbishop of York, the Bishop of Chester, and Tories Nottingham and Oxford.<sup>48</sup>

A lengthy discussion of the Bill's debates is unwarranted, because their aftermath was more important for Orrery's career than the debates themselves. Moreover, several important events in 1718 impacted upon political affairs. The royal quarrel which had erupted in 1716 had intensified and grown increasingly embittered by late 1718. The Prince of Wales had moved to Leicester House, followed only by the 'disappointed, hopeless, and all who apprehend themselves ill used', and those who justified the Prince in the spat with his stubborn father.<sup>49</sup> In March 1718 Lord Cowper had resigned, partly as a result of the quarrel.<sup>50</sup> Rather

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<sup>42</sup>HMC, *House of Lords*, xii, xxv, describes the extremely elusive Carleton as a Court Whig 'without any party violence'.

<sup>43</sup>*LJ*, xxi, 8; HMC, *Portland*, v, 570-71. This division, in which proxies were not used, saw the court resort to a step almost unprecedented on the part of the winning side when it called for all the proxies. An account from an undated draft letter which appears to be written in North & Grey's hand, reckoned there had been at least forty Tory peers who had either left the House or lost proxies, which, if recovered, would have enabled the opposition to defeat the ministry: NUL, Portland Loan 2, Harley Papers, #1086.

<sup>44</sup>The most recent account of the political manoeuvres involved is in G.M. Townend, 'Religious Radicalism and Conservatism in the Whig Party under George I: The Repeal of the Occasional Conformity and Schism Acts', *Parliamentary History*, vii (1988), 24-44.

<sup>45</sup>BL, Add. MS 47028, ff. 259-60, and ff. 264-65, for those who spoke on the Church's behalf; cf. Timberland, iii, 100-01.

<sup>46</sup>In early 1718 Orrery held but apparently did not use the proxies of several of his former Hanoverian Tory colleagues who had become so disenchanted with politics they were reluctant even to attend the House. These included Anglesey and Uxbridge. Orrery also held Abingdon and Anglesey's proxies in mid-December 1718: HLRO, MS Proxy Book, vii, proxies dated 11 and 16 Nov., and 18 Dec. 1718.

<sup>47</sup>Buckingham and Carleton led the early attack on the bill. For a vivid account of the Lords debates of 19 Dec. see BL, Stowe MS 354, ff. 193-96; and Bodl., MS Ballard 20, f. 76. Another division over the second reading included the use of numerous proxies and split by a vote of 95-77: BL, Add. MS 47028, f. 259. There is a detailed account of the third reading's debates in: Sandon Hall, Staffordshire, Harrowby MS, Diary of Sir Dudley Ryder, (History of Parliament Transcript), Doc. 20, R29, Pt. 3, pp. 22-24.

<sup>48</sup>In the process Orrery opposed his cousin, Lord Burlington, who was teller for the yeas in the division: *LJ*, xxi, 29, 34-35; Sainty and Dewar, (unpaginated) division list.

<sup>49</sup>BL, Add. MS 47028, f. 216.

<sup>50</sup>He briefly retired to the country in disgust: *Diary of Mary, Countess Cowper*, pp. 154,

than 'blow up' the ministry as some thought the quarrel and the Spanish hostilities would do,<sup>51</sup> by early 1719 recent foreign policy successes had broadened the ministry's support. Furthermore, by late 1718 Argyll had fallen out completely with the Prince and Princess of Wales.<sup>52</sup> The Scottish duke's disenchantment with the rival court, and more importantly, the personality of the prince who presided over it, was longstanding.<sup>53</sup> The repeal of the Occasional Conformity Act amidst this situation was a turning point for Argyll and Ilay, who had grown increasingly tired of life among the opposition and were now given an opportunity to barter with Sunderland for their support in the Lords.<sup>54</sup> In exchange for support of the repeal, Argyll was offered a British dukedom and rejoined the Court in December 1718.<sup>55</sup> His return was complete the following February when he was appointed Lord Steward,<sup>56</sup> and it was 'very confidently' reported that the duke was forbidden to attend Leicester House.<sup>57</sup>

The period was also a watershed in Orrery's political career. Coincident with Argyll's return to the court was his political distancing from Orrery and his failure to intercede for the latter's own restoration. This failure, along with Orrery's growing importance as a Jacobite plotter, had serious implications. Argyll's disinclination, Orrery's Jacobitism, and the related effects of the Prince's unexpected reconciliation with his father in 1720 left Argyll's old friend extremely alienated. Evidently unable to resume his former degree of friendship with Argyll, or to win him over to the Stuarts, one of the main reasons he was initially enlisted, Orrery became a permanent member of the opposition. His voting habits thereafter were almost solely connected with a small group whose intention was to frustrate the government at every turn, regardless of the issue. In so doing Orrery joined forces with

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166-67. For a copy of his resignation letter see PRO, SP 35/11/101.

<sup>51</sup>Herts. RO, Panshanger MS D/EP F196, ff. 64-65.

<sup>52</sup>In mid-December Argyll had gone over two weeks without visiting the Prince: NLS, MS 25281, f. 17v.

<sup>53</sup>HMC, *Portland*, v, 548-49; HMC, *Stuart*, v, 447; *idem*, vi, 164. In *Lockhart Papers*, ii, 11, informed observer George Lockhart recorded that Argyll found the Prince 'a worthless giddy headed creature, no wayse to be depended on', and had retired to his house in Richmond in disgust in 1717. Similar comments are recorded in the valuable but little used manuscript journal of Charles, 8th Lord Cathcart, who was groom of the bedchamber to the Prince of Wales. In his entry for 17 Feb. 1718, he described Argyll and Ilay as 'our occasional conformists': Cathcart MS A/29; and cited in Foord, p. 92.

<sup>54</sup>Foord, p. 61, called Argyll's reconciliation and Cowper's resignation the 'only two notable shifts in the established political alignments' of this period.

<sup>55</sup>HMC, *Portland*, v, 574-75; SRO, GD 220/5/828/1-13; Riley, *English Ministers and Scotland*, pp. 264, 268.

<sup>56</sup>For the Lord Steward's function and importance in George I's reign see Hatton, *George I*, p. 143.

<sup>57</sup>Bodl., MS Ballard 32, f. 80.

staunch Tories and suspected Jacobites who remained his associates until his death.

Politically, if not personally, alienated from his former patron, Orrery's pattern of fairly regular participation in the Lords was repeated in the session beginning in the autumn of 1719. His committee nominations also echoed those of previous years.<sup>58</sup> It is very likely that he sat on the committee that considered the landmark case of *Annesley vs. Sherlock*, which established the subordination of the Irish to the English House of Lords.<sup>59</sup> The major event of the 1719 session was the government's failed attempt at passing a peerage bill.<sup>60</sup> The Scottish element of the proposed bill was among its most controversial portions because it raised concerns about maintaining the status of the peerage at large and suggested financial prerequisites should be observed.<sup>61</sup> The stipulation that nine additional hereditary Scottish peers rather than the 16 elected peers would sit at Westminster provoked the only division in the Peerage Bill's debates. Since there were no protests over the bill, determining how Orrery voted is difficult. Ilay was one of the last to speak for the opposition and was teller for the noes. Orrery probably followed suit, although some Tory peers voted for the bill,<sup>62</sup> which was ultimately rejected in a packed Commons after a marathon debate in December 1719.<sup>63</sup>

Orrery's views on the potential consequences of the Peerage Bill are unknown, but it is interesting to consider that he was one of only two Irish peers raised to the British peerage during the period between 1702 and 1714.<sup>64</sup> As he grew older and endured a prolonged period in

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<sup>58</sup>*LJ*, xxi, 160ff. The only exceptions are numerous absences in December.

<sup>59</sup>Orrery was nominated to sit on the committee of enquiry formed on 9 Jan. 1719: *LJ*, xxi, 38; HMC, *House of Lords*, xii, xxxviii-xxxix; and T.F. Sherry, 'Early Irish Newspapers: Reporting Constitutional Conflict', *N & Q*, xxxvii (1990), 299-300. Orrery was absent on 17 April 1719 and did not sign a protest against the City of London's funding of lawsuits concerning controverted elections: *LJ*, xxi, 145, 149; *Protests*, i, 251.

<sup>60</sup>For a masterful analysis of the socio-political ramifications of the abortive legislation see Clyve Jones, 'The Political and Social Implications of the Peerage Bill of 1719', in Clyve Jones, ed., *A Pillar of the Constitution* (London: Hambledon Press, 1989), pp. 123-67. The constitutional and legal issues of the bill are also studied in Kenyon, *Revolution Principles*, pp. 191-94; and there are useful related documents in J.F. Naylor, ed., *The British Aristocracy and the Peerage Bill of 1719* (Oxford: University Press, 1968).

<sup>61</sup>Requirements proposed in 1701 had suggested an annual income of no less than £3,000 p.a. for barons, a figure Orrery sometimes failed to take in over a decade later. Swift expressed similar views: *Swift Corr.*, ii, 331. For further analysis and remarks on the requirements see Jones, 'Peerage Bill', pp. 87-88.

<sup>62</sup>Buckingham was among these: Jones, 'Peerage Bill', p. 97; *LJ*, xxi, 86; Timberland, iii, 113. For Argyll's negotiations with the ministry over the bill see Townend, 'Sunderland', pp. 260-61.

<sup>63</sup>*PH*, vii, 609-27; Jones, 'Peerage Bill', pp. 98-101.

<sup>64</sup>See the interesting demographic table analysing the social origins of British peers in 1719 in Jones, 'Peerage Bill', 92.

opposition, it is clear that he decried the use of peerages (and higher titles to those already peers) to lure opposition and Jacobite figures back into the ministerial fold. He also came to believe that the Lords had grown increasingly effete as a political institution. Describing the domestic political situation to the Stuart Pretender in 1720, Orrery noticed how George I's ministers had created several peers before the latter's trip to Hanover, and speculated that 'the reproach of making continual additions to the Peers and especially of prefaring (sic) men of very indifferent characters as most of their favourites are may do 'em more prejudice than this increase of strength may do 'em good'. Along with the instantaneous rise in wealth of 'many upstart obscure people' through speculation in the stock of the South Sea Company, at the expense of noble and gentry families, this situation had convinced Orrery (and he hoped it would others) that 'nothing but a total Subversion of the pernicious Schemes of our present managers' would preserve the constitution and restore the government to the rightful hands of the status quo.<sup>65</sup> From a Tower cell three years later, Orrery reflected acrimoniously that the House of Lords was 'treated pretty much as an useless body' and seemed 'to acquiesce under that treatment for they neither care nor desire to be troubl'd much with publick affairs but content themselves with being a Court of Judicature & that submissive Temper will not fail to be encourag'd by a Ministry & a house of Commons wch will easily know how to make their advantage of it'.<sup>66</sup> Tinged with a hint of aristocratic snobbery, these remarks are no doubt a blend of partisan jealousy and a political pariah's resentment.

The royal reconciliation which occurred in the spring of 1720 was both a surprise and an extreme disappointment to the Jacobites.<sup>67</sup> Not only did relations between George I and his son undergo an improvement, but, to an extent, the Whig split was nearly healed overnight. Politicians scurried in attempts to form new alliances and reconcile themselves to the sovereign.<sup>68</sup> Reinstalled in office, Townshend and Walpole were soon meeting and dining with Sunderland,<sup>69</sup> who was utterly convinced the reconciliation would replace factionalism with

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<sup>65</sup>RA, Stuart Papers 47/106. Orrery to James III, 18 June 1720, O.S.

<sup>66</sup>BL, Add. MS 61380, f. 57. (autograph) Orrery to Uxbridge, 20 Jan. 1723.

<sup>67</sup>Coxe, *Walpole*, ii, 186; *Memoirs of Atterbury*, i, 362; RA, Stuart Papers 46/110; and printed in J.H. Glover, ed., *The Letters of Francis Atterbury, Bishop of Rochester, to the Chevalier de St. George and some of the Adherents of the House of Stuart* (2 vols., London: W.N. Wright, 1847), i, 52.

<sup>68</sup>According to Lady Cowper, there were a multitude of schemes in the spring of 1720. One involved Spencer Compton, Atterbury, Harcourt, and Carleton, along with several Tories, and in light of these personalities, it is very possible that Orrery was associated as well; *Diary of Mary, Countess Cowper*, p. 144.

<sup>69</sup>BL, Add. MS 35837, f. 409v; *Diary of Mary, Countess Cowper*, pp. 157-58. Cowper meanwhile temporarily retired to the country in disgust.

solidarity and greatly weaken the opposition by causing an 'entire reunion' of the Whig Party.<sup>70</sup> A Tory observer viewed it from a somewhat different perspective, speculating that the Whigs might now be sufficiently emboldened to 'attempt those things which nothing but their divisions restrained them from before'.<sup>71</sup> Orrery himself, with fairly extensive knowledge of the Leicester House Court, initially minimised the parliamentary effects of the rapprochement. By now a regular correspondent with the exiled Stuart court in Rome, he admitted that the ministry remained powerful enough to 'carry ev'ry point' in the Lords and that the Jacobites had 'long dispair'd of bringing about' a restoration by parliamentary methods. Elaborating further, Orrery was informed by the Prince himself that he 'was ty'd to no conditions and should still look upon amelia's [George I's] advisers and Servants as reconcil'd Enemies'.<sup>72</sup> Within a few months the accepted consensus was that the appeasement was mainly a smokescreen for a political reunion motivated by self-interest. It also served as the catalyst for the defection of several opposition figures whom Orrery implied were sympathetic to the Jacobites' projects.<sup>73</sup> Before further analysis of its lasting effects on early Hanoverian politics, attention must be diverted to another complex component of Orrery's opposition activities: his adoption of the cause of the exiled Pretender, James Francis Edward Stuart.

## II

Orrery's association with enterprises to restore the exiled son of James II began shortly after his fall from grace at George I's court and were conducted concurrently with his opposition activities. The earliest tangible references to Orrery in Jacobite correspondence appear in the spring of 1717, but he may have become involved during the Swedish plot of 1716-1717.<sup>74</sup> A ground-breaking study of Jacobitism written in the 1950s ranked Orrery with Atterbury, Ormonde, Wyndham and several others who were prepared to restore the Pretender at

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<sup>70</sup>Christ Church, Wake MS 21, f. 216. Sunderland to Wake, 23 April 1720.

<sup>71</sup>HMC, *Portland*, vii, 274.

<sup>72</sup>The Prince had reportedly 'treated 'em so cooly hitherto that Severall of 'em are more disgusted than ever': RA, Stuart Papers 46/93. Orrery to James III, 1 May 1720.

<sup>73</sup>These were Lords Lechmere and Hungerford: RA, Stuart Papers 46/150. Orrery to James III, 15 May 1720, O.S.; *cf. idem*, 48/69.

<sup>74</sup>While abroad in Flanders from 1711 to 1713 Orrery had some associations with known Jacobite exiles, notably Lord Ailesbury, but they were apparently purely social courtesies: BL, Add. MS 22221, ff. 16-17. Ailesbury to Strafford, 5 June 1713, N.S.; also see above, Ch. 6, p. 254, n. 232; and below, Ch. 10, pp. 422-23.

Queen Anne's death,<sup>75</sup> yet previous discussions of Orrery's voting habits and political behaviour in 1714 would appear to dispel such a notion. The more plausible linkage of Orrery with the Jacobites during the Swedish Plot is largely based on circumstantial evidence by association with two figures: MP Charles Caesar, who was deeply implicated and imprisoned because of the plot;<sup>76</sup> and Shrewsbury, whose biographers have argued was corresponding with the Jacobites in late 1716, when he and Orrery were attending their opposition dinner parties.<sup>77</sup> The exact reasons which compelled Orrery to undertake the radical course of espousing Jacobitism are ambiguous; he could just as easily have chosen to bide his time with the opposition and hope for an amelioration in his relationship with Argyll and the latter's successful intercession on his behalf.

The Jacobites' motives for recruiting Orrery are patently more obvious. A peer and disgruntled courtier, with longstanding connections with the pro-Jacobite Atterbury and possessing diplomatic, political and military experience, Orrery was a valuable prospect for a movement sorely lacking in talented leadership. Yet he was initially sought for a quite different reason. James III's Secretary of State, the militarily-incompetent and notoriously dishonest John Erskine, now titular Duke of Mar,<sup>78</sup> first proposed Orrery as the ideal person to serve as an intermediary between the English Jacobites and two of the most powerful politicians in Scotland: Argyll, and his brother, Ilay.<sup>79</sup> Definite proof for determining the exact date when Orrery joined the Jacobites is contained in a long letter Mar wrote to Ilay in 1717, shortly before Oxford's acquittal. As a fellow Scot, Mar appealed to Argyll's brother to consider joining the Jacobites and provided him with a litany of reasons. Ironically, he also asked whether it was possible for Orrery to convince the victor over the Jacobites in the '15 to defect from the government's side.<sup>80</sup> Describing Orrery as discreet,

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<sup>75</sup>George Hilton Jones, *The Mainstream of Jacobitism* (Cambridge, Mass.: Harvard University Press, 1954), p. 242.

<sup>76</sup>Caesar, whom Townshend described as a 'creature of Lord Oxford's', was closely associated with the Swedish envoy who was arrested: Coxe, *Walpole*, ii, 113-14. For Caesar's parliamentary and Jacobite career and friendship with Orrery see *House of Commons, 1715-1754*, i, 513-17.

<sup>77</sup>And thus perhaps also involved in the Swedish plot: Nicholson and Turberville, pp. 218-22.

<sup>78</sup>Mar's completely unprincipled career and inept management of Jacobite affairs is given an exaggeratedly sympathetic treatment in Maurice Bruce, 'The Duke of Mar in Exile', *TRHS*, 4th ser., xx (1937), 61-82; but this assessment is demolished in the more reliable rendition by Edward Gregg, 'The Jacobite Career of John, Duke of Mar', in Eveline Cruickshanks, ed., *Ideology and Conspiracy: Aspects of Jacobitism, 1689-1759* (Edinburgh: John Donald, 1982), pp. 178-200.

<sup>79</sup>For the Jacobites' reasons for aspiring to seduce Argyll and Ilay into defecting see *Lockhart Papers*, ii, 13-15.

<sup>80</sup>HMC, *Stuart*, iv, 260. Mar to Ilay, 20 May 1717.



honourable and trustworthy, Mar also proposed him as a likely convert in a letter to Oxford, suggesting that Orrery might not only persuade Argyll himself to join but 'soften things up' between Argyll and Oxford, a relationship that was essential to handle in 'a very delicate way, for fear of making things worse'.<sup>81</sup> Mar's proposition of Orrery coincided with Atterbury's earliest correspondence with the Pretender, as well as with a rupture within the English Jacobites that occurred following Oxford's release from the Tower. This split led to the formation of separate, quarrelling factions named after Oxford and Atterbury, their respective heads. Recent studies have placed Orrery among the latter's followers,<sup>82</sup> yet in the first few years of Orrery's Jacobite contacts he is mentioned far more frequently by various figures in correspondence with Mar as a contact person for Oxford than for Atterbury.

Soon after Mar's bid to gain Orrery's loyalty in August 1717, Oxford's mistress, the ardent Jacobite Anne Ogelthorpe, relayed some verses 'in imitation of Horace' to Mar which Orrery had written in dedication to 'James III'. Orrery professed his willingness to serve the Stuart sovereign 'to the utmost of his power' and had conferred with Oxford about assignments and affairs in England.<sup>83</sup> By October 1717 Mar had gained sufficient confidence to write to Orrery directly. Hinting approvingly of Orrery's desire to distance himself from 'a certain set', presumably referring to the Prince's opposition party, and with vague assurances of future assistance, Mar asked that Orrery's efforts 'not be wanting to keep things afloat'.<sup>84</sup> The precise date of Orrery's first letter to Rome is unknown, but it seems to have been written around the end of 1717 in response to Mar's letter. From the outset, Orrery warned Mar that he was reluctant to write in his own hand and with complete freedom. None the less, he outlined his general thoughts on the current situation in England and prospects for a successful restoration. He claimed the Jacobites 'could hardly wish, a much better disposition towards you than there is here at present' due to a 'pretty general hatred' of a 'certain person' and a 'manifest abhorrence' of a ministry which had caused 'many and great grievances'. This 'person' was not identified, but was apparently either

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<sup>81</sup>HMC, *Stuart*, iv, 407. Mar to Oxford, 2 July 1717; and *idem*, RA, Stuart Papers, 20/128.

<sup>82</sup>G.V. Bennett, 'Jacobitism and the Rise of Walpole', in Neil McKendrick, ed., *Historical Perspectives: Studies in English Thought and Society in Honour of J.H. Plumb* (London: Europa Publications, 1974), pp. 71-72; *idem*, *Atterbury*, p. 218; also Fritz, *English Ministers and Jacobitism*, p. 44; and the same author's 'Jacobitism and the English Government, 1717-1731' (unpublished Ph.D., Cambridge University, 1967), p. 38.

<sup>83</sup>RA, Stuart Papers 22/35-36; HMC, *Stuart*, iv, 553. Anne Ogelthorpe to James III, 19/30 Aug. 1717; *ibid.*, iv, 554-55; and *idem*, v, 309.

<sup>84</sup>RA, Stuart Papers 23/80; *idem*, printed in HMC, *Stuart*, v, 122.

Sunderland or George I himself. Orrery also asserted what was to become his recurring requirement for any successful Jacobite invasion: 'Nothing, to be plain with you, but a considerable force from abroad can compass that end, how much never it may be desired and wished for here and, if any calculation be made on any other foundation...it will be a fatal error'. Orrery's 'very naive description' of affairs concluded with a rather arrogant request that he be 'particularly instructed' and that:

a trust must be put in me to make use of my knowledge and informations where I shall find necessary. Some people foresee mighty difficulties in any scheme that can be proposed for overturning a formed government, though never so odious and despicable, others, that would be willing to enter on proper measures to shake off the present load almost at any hazard, have yet terrible apprehensions about Religion. If I was enabled from the best hand to open in proper places and at proper seasons so much of the design and of the methods proposed for effecting it, as I should judge necessary for convincing some cautious peoples of the probability of success, and was authorized too to give all possible assurances of the real intentions to secure and encourage the established Religion, I might perhaps be qualified to do my country some service.<sup>85</sup>

From the receipt of this letter Orrery's opinions were highly regarded, and the passage of time saw his requests granted. Shortly thereafter he sent the Jacobite court a number of documents, possibly results of canvassing for support, which were judged of 'very great value'.<sup>86</sup>

Orrery's long-standing links with Argyll made him uniquely qualified to undertake the task for which Mar had advanced his name. The former's associations with Argyll and Ilay after the power struggle of 1716 had not diminished. Although Argyll failed, for whatever reasons, in assisting Orrery to regain offices he had lost in 1716, he remained on close terms with the pair even after initiating contact with the Jacobites. The diary of Orrery's lifelong friend William Byrd II verifies that Argyll and Ilay socialised with Orrery on a regular basis throughout 1718, months after Orrery began writing to the Pretender, and after Argyll's return to court in 1719.<sup>87</sup> Throughout 1718 and up to April 1719, Orrery dined, attended plays, and drank chocolate with Argyll and Ilay at Will's. It may be significant, too, however, that Byrd does not mention Orrery and Argyll together after the middle of 1719.<sup>88</sup> Perhaps the only surviving record of Orrery's own feelings about his longstanding

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<sup>85</sup>RA, Stuart Papers 25/54. Orrery to Mar, 11 Dec. 1717; printed in HMC, *Stuart*, v, 306.

<sup>86</sup>HMC, *Stuart*, v, 308.

<sup>87</sup>William Byrd, *The London Diary (1717-1721), and Other Writings*, Louis B. Wright and Marion Tinling, eds. (New York: Oxford University Press, 1958), p. 230: on 11 Feb. 1719, Byrd and Orrery went to Will's 'where my Lord Islay talked to me [Byrd] abundantly about himself and the Duke of Argyll'. For more on Byrd's remarkable diary and friendship with Orrery see below, Ch. 11, pp. 479-80.

<sup>88</sup>Orrery met Ilay at Will's on 26 Oct. 1719, but Argyll did not join them: *London Diary*, pp. 111, 188, 200-01, 230, 257, 331. Unfortunately Byrd returned to Virginia shortly thereafter,

relationship with Argyll is contained in a letter written nearly a decade later on George I's death in 1727. Orrery then reflected on the fact that he and Argyll had enjoyed 'a long & interrupted friendship from our youth' but that their 'difference in politics' had caused 'some little coolness' in recent years.<sup>89</sup>

One might theorise about the likelihood of Orrery's achievement of Mar's proposal. With the benefit of hindsight, it seems ludicrous that Orrery could seriously have hoped to accomplish such an unlikely conversion. But no matter how far-fetched it may now seem, it was far less unthinkable to contemporaries; few would have wagered on Orrery's persuasion of Argyll to support the Tories in 1710 either. The role of *eminence grise* and go-between was appropriate for Orrery to assume and not dissimilar to the one he had performed to such perfection in 1710. Once again he was thrust into the guise of a conscientious politician (albeit of secondary importance) who was entrusted with highly secretive knowledge with potentially dangerous implications. More the thoughtful, persuasive conversationalist than the fiery orator, Orrery seems to have excelled in covert schemes and personal visits within a small circle of friends. Remarkably trustworthy, he could be held in the strictest confidence with a secret of the utmost magnitude such as the possible terms under which Argyll would join the Stuarts. What one recent study has so aptly characterised as Argyll's eagerness 'to sacrifice principle for the sake of expediency',<sup>90</sup> coupled with his fickle nature and violent temper, made it difficult for anyone to predict his actions; this was doubtless one of the reasons why leading Whig ministers regarded Argyll with such apprehension. Such characteristics made overtures by a close personal friend all the more essential. Furthermore, on issues such as the Mutiny Bill, Argyll was voting against the court alongside diverse political figures ranging from the staunchly Tory-Jacobite North & Grey to the displaced Whig Townshend.<sup>91</sup> Other friends of Argyll's, including George Lockhart of Carnwath, were also recruited to lure the duke over in 1718, but Lockhart was less optimistic of the possibility than Orrery and largely viewed it an impossible task.<sup>92</sup>

Orrery represented the prospects in a different light. By late 1717 he claimed Argyll

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so their contacts from 1720 onwards are more difficult to chronicle.

<sup>89</sup>RA, Stuart Papers 109/130. Orrery to James III, [30] August 1727.

<sup>90</sup>Townend, 'Scottish Nobility', p. 39.

<sup>91</sup>These factors were weighed in plans to attempt to convert Argyll: HMC, *Stuart*, vi, 106, 164.

<sup>92</sup>For Mar and Lockhart's ambitions for their conversion, see: *Lockhart Papers*, ii, 10; RA, Stuart Papers 32/82; *Letters of Lockhart*, pp. 130-131, 136-37.

and Ilay were ripe for conversion. Anne Ogelthorpe, who thought Orrery 'warm and zealous',<sup>93</sup> relayed his belief that Argyll and Ilay had grown so 'entirely disgusted' with the Prince of Wales that their alliance with the Pretender's cause was 'very feasible' and that they had 'resolved to go for the future thoroughly in to the trustee's [Tories] method'. Although he failed to explain just what that 'method' entailed, he was encouraged by widespread general dissatisfaction stemming from the royal quarrel.<sup>94</sup> Indeed, if Orrery ever had a realistic chance of inducing his powerful Scottish friends to reverse their loyalties, the most opportune moment was probably during their breach with the Prince in 1718 and prior to their ministerial reconciliation. Ilay reportedly broached this subject in the spring of 1718 'with more frankness than ever', and Orrery claimed he and Argyll had consented to all steps necessary for the Pretender's restoration in Scotland short of heading their clan.<sup>95</sup> Despite such professions, and characteristic of many other Jacobite endeavours, firm commitments were not forthcoming.<sup>96</sup> The Pretender received intermittent reports of Orrery's successful intercession with Argyll and Ilay as late as 1720,<sup>97</sup> but both appear to have remained aloof from Jacobite machinations.

As with most aspects of the Jacobites' schemes, disunity, jealousy, and individual rivalries between leading personalities involved in endeavours to restore the Pretender, rather than Orrery's failure to exert himself, were very likely among the main reasons that attempts to lure over Argyll failed. The individual dispositions of the leading Jacobites comprised a group that few could have appeased or inspired toward mutual cooperation. Atterbury's imperious nature was difficult to subordinate, and he, Argyll and Oxford all

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<sup>93</sup>HMC, *Stuart*, v, 287.

<sup>94</sup>In the same letter Orrery admitted that Ilay was tempted to withdraw from politics completely, having 'ventured life and all for King George, and he saw the return he met with', he feared he might receive a similar return if he 'ventured' for another sovereign: HMC, *Stuart*, v, 336. Anne Ogelthorpe to Mar, 16 Dec. 1717, O.S.

<sup>95</sup>HMC, *Stuart*, vi, 286-87. Part of their hesitancy stemmed from 'suspicion of rivalry' and bruised egos over some remarks made by James Murray. For accusations of his treachery and double-dealing, and discussion of reciprocal suspicions throughout the Jacobite hierarchy, see Edward Gregg, 'The Politics of Paranoia', in Eveline Cruickshanks and Jeremy Black, eds., *The Jacobite Challenge* (Edinburgh: John Donald, 1988), pp. 46-51.

<sup>96</sup>In response to promises of an English earldom in the event of a restoration, Ilay himself was persuaded to write the Pretender in March 1718, but his letter was couched in such general, noncommittal terms it led Mar to remark that he nor James III could 'find much' within it: HMC, *Stuart*, vi, 131.

<sup>97</sup>RA, Stuart Papers 47/82, 110; HMC, *Stuart*, iv, 406-07. Mar to Oxford, 2 July 1717; *idem*, vi, 131.

disliked each other intensely.<sup>98</sup> Oxford's direction of Jacobite affairs and Argyll's lingering distrust of him stemming from experiences in the previous reign could hardly have served as much of an inducement, despite Orrery's intercession. Orrery himself had sufficient reason to approach any confidential undertaking involving Oxford with scepticism. In addition, Orrery not only needed to overcome Argyll's enduring malice towards Oxford; the duke was also obviously loathe to embrace a potentially ruinous cause under the direction of his incompetent adversary from Sheriffmuir.<sup>99</sup> There is also evidence which suggests that Mar intentionally concealed information from the Pretender in attempts to hinder efforts to bring over Argyll.<sup>100</sup> For someone of Orrery's temperament, whose dislike of confrontation and preference for remaining outside 'squabbles' drove him to seek appointment to a foreign diplomatic post just four years earlier, an eagerness to assume such a Herculean task is baffling.<sup>101</sup>

Penned a decade after the fact, Orrery's aforementioned letter gives no specifics on the political 'difference' which separated him and Argyll and it sheds little light on the dissolution of what may well have been Orrery's most significant friendship. Answers must be sought elsewhere, and may be as simple as the existence of Orrery's Jacobitism, or at least Argyll's fear of fraternising with someone suspected of such. It is worth repeating that Orrery began his Jacobite contacts a full year before Argyll's return to court and his reconciliation with George I's ministry. Orrery's decision, therefore, was not entirely motivated by a sense that his altered relationship with Argyll rendered his political prospects unpromising. Rather, it seems that Orrery's Jacobitism partly occasioned his alienation from Argyll, whose failure then to intercede for Orrery's return to court favour was due either to personal disgust for Orrery's newfound correspondents or ministerial disdain and suspicion of Argyll's ex-courtier friend.

In the initial stages of Orrery's Jacobite contacts his principal value was twofold and reflected his own personal projects. He supplied information on the status of the rift

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<sup>98</sup>Argyll and Atterbury often engaged in violent exchanges in the Lords: see Bennett, *Atterbury*, pp. 187, 196, for examples.

<sup>99</sup>It is this reason which one of the Pretender's biographers attributes as the primary reason Argyll refused to change sides: Martin Haile, *James Frances Edward, The Old Chevalier* (London: J.M. Dent, 1907), p. 253, n. 2, drawing from a letter in RA, Stuart Papers, dated 21 June 1718.

<sup>100</sup>Lockhart's son visited James III in early 1720, and after long discussions it became clear that he was not being fully informed of schemes and efforts involving Argyll: *Lockhart Papers*, ii, 26-28.

<sup>101</sup>HMC, *Portland*, v, 369. Orrery to [Oxford], 3 Dec. 1713, cited above, Ch. 6, p. 250.

between the Prince and George I, believing it should be manipulated and utilised to the fullest extent. Orrery was encouraged in his vigorous efforts to try to bring over Argyll and Ilay by their gradual disenchantment with the Leicester House court and the adversity of prolonged opposition. Ascertaining the actual sincerity Argyll and Ilay professed toward Jacobitism after Orrery took the plunge is infinitely more problematic. As with earlier periods, the complete absence of correspondence between them and Orrery, as well as between them and the Jacobites, severely hinders an accurate assessment. Three scenarios seem possible: that they actually were courting the Jacobites through Orrery; that they performed an amazing job of duping him into believing so; or, finally, that Orrery intentionally misled the Jacobites by exaggerating the likelihood of Argyll and Ilay's conversion in the hope of magnifying his own importance. Examination of the scant evidence tends to substantiate a combination of the second and third possibilities as the most likely hypothesis. Regardless of the failure of Orrery's solicitations, however, if he and Argyll were on such close terms, then Orrery's hypothetical deception is all the more improbable. If the Campbell brothers really were considering a total political *volte-face*, they would have contemplated such a dramatic step only with a person who possessed their implicit trust.<sup>102</sup> Contending with Argyll's greed, mercurial temperament and the scarcity of proof, historians can do little more than speculate.

Another perplexing question that remains is to enquire what prompted Orrery to take the fateful step of championing Jacobitism and just how fervent and genuine was his own adherence over the years. Some of the same arguments against Argyll's support of a Stuart restoration could be applied to Orrery as well, and one would certainly presume he was fully aware of Mar's military incompetence. One recent study of the early 1720s Lords opposition by Clyve Jones described Orrery's Jacobitism as adopted 'late and probably not very deep', but this conclusion is based on skimpy evidence.<sup>103</sup> An even more recent study by the same author characterised Orrery's Jacobitism as an 'insurance policy' taken out after Argyll returned to the court in 1719 and makes the unsubstantiated speculation that Orrery may have been serving as a high-ranking Hanoverian double agent!<sup>104</sup> Before 1720, Jacobite contacts he maintained

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<sup>102</sup>The Pretender was often moved to remark on the 'strict' friendship between Argyll and Orrery: RA, Stuart Papers 48/23. Mary Caesar, wife of Charles Caesar, one of the Jacobites' leaders in the House of Commons, claimed her husband was also close friends with Argyll and one of the 'oldest acquaintance[s]' Argyll had: see her diary in BL, Add. MS 62558, f. 44.

<sup>103</sup>Clyve Jones, 'The New Opposition in the House of Lords, 1720-3', *Historical Journal*, xxxvi (1993), 309-29, bases his conclusions solely on the brief biography of Orrery for the forthcoming *House of Commons, 1690-1715*, cited above, Ch. 2, p. 41, n. 8.

<sup>104</sup>Clyve Jones, 'Whigs, Jacobites and Charles Spencer, Third Earl of Sunderland', *EHR*, cix

concurrently along with his attendance at the Leicester House court would seem to imply just the opposite; indeed, the royal appeasement between George I and his son which occurred in 1720 may have alienated him to such a degree that he decided to hazard accepting greater responsibility in the guise of negotiations for Jacobite support. In order to maintain the premiums on this 'insurance policy', however, it was necessary to embark on two dangerous trips to Paris to negotiate with the French court, to plan a third such journey, and to personally engage in Jacobite money-raising activities in England, all at the risk of the forfeiture of his estates. As a consequence Orrery had to lie prostrate in the Tower for nearly six months only to emerge near death. Such an 'insurance' policy carried a terribly expensive price. Although his work has undoubtedly injected a healthy scepticism into Jacobite studies of the 1720s, there is little doubt that Jones has committed several errors, particularly regarding Orrery. Furthermore, Jones has condemned the work of several modern historians of Jacobitism for naivety and excessive reliance on faulty evidence supplied by the *sine qua non* of Jacobite historiography: the 'incomplete' Stuart Papers at Windsor.<sup>105</sup> Barring the unlikely discovery of further documents, however, historians will be forced to consult what is available.

Orrery's Jacobite activities were apparently conducted relatively undetected for several years. Few fellow leading conspirators seem to have known of his cooperation in their schemes until 1720, and he is conspicuously absent from cipher and cant name lists prior to that time.<sup>106</sup> This secrecy suited Orrery perfectly. If any single characteristic typifies his Jacobite activities from the beginning, it is an overwhelming obsession with discretion. One is compelled to wonder whether Orrery's exceptionally secretive behaviour was somehow related to his judgement of character and whether he came to recognise the weak, carping factions and distrustful characters clinging to the Pretender's cause in Paris and Rome. His deficiencies in negotiations in Brussels and his ill-founded reliance on some of his co-conspirators after 1720 do not indicate that perspicacity of human nature was a salient quality with which Orrery was overly endowed, and would seem to contradict such speculation. Yet, regardless of

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(1994), 52-73. The same study says Orrery was dismissed in 1716 but makes not a single reference to the resignation letter sent to George I and discussed above in Chapter 7.

<sup>105</sup>See the source cited below, p. 314, n. 113. Notwithstanding the caution that must be exercised in the interpretation of evidence it contains, any collection of over 500 volumes of extant treasonous correspondence can hardly be ignored. The far less extensive Cholmondley Papers of Walpole are certainly not complete either, but that fact does not prevent historians hostile to Jacobite studies (as well as otherwise) from using them.

<sup>106</sup>E.g., a cant name list sent to Sunderland from Paris in 1718, in BL, Add. 61572, ff. 182-83; *cf.* NLS, MS 1498, ff. 16-17.

Orrery's reasons, his secrecy was carried to the point of a nearly overwhelming paranoia. Somewhat remarkably, he retained a great deal of the Pretender's trust and esteem over many years. This confidence is all the more striking when one considers the increasingly peremptory and 'frank' tone of Orrery's letters to Rome, which suggest he was utterly convinced of his own self-importance for the Jacobite cause. Despite his zeal in soliciting support from Argyll, Ilay, Sir William Dawes (the Hanoverian-Tory Archbishop of York), and others, Orrery still expressed anxiety about James III's stubborn adherence to Roman Catholicism. He remained one of the chief proponents of the latter's outward conversion to Protestantism,<sup>107</sup> insisting that in order to change irresolute, wavering minds he needed a royal letter with specific religious promises.<sup>108</sup> In addition to emphasising that winning over Argyll and Ilay would be of the 'greatest advantage' and that he was disposed to grant them full pardons for their 'past mistakes', the exiled Stuart monarch's first letter to Orrery contained assurances that his private religious views need not trouble supporters and referred Orrery to earlier proclamations to that effect.<sup>109</sup>

Whether Orrery accepted these assurances is debatable, unlike his importance to the Jacobites and James III's high opinion of him. In these early stages of Orrery's Jacobite career, he was often the conduit through which instructions from Rome were passed on to other leading conspirators,<sup>110</sup> and he was often privy to plans and schemes of which even Atterbury himself was unaware. In the summer of 1720 the Pretender informed his chief representative in Paris, General Arthur Dillon, that 'Lord Orrery's case is quite different since he is in the intier secret of affairs'.<sup>111</sup> Two years later Orrery was appointed to serve as a Lord Regent in the event of the Pretender's absence after a restoration.<sup>112</sup> Notwithstanding his timidity and concomitant lacklustre success as a negotiator, and his imprisonment in 1722-1723, Orrery assumed direction of Jacobite affairs in England after Atterbury's banishment. These and other examples demonstrate that Orrery may indeed have been slightly isolated from other

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<sup>107</sup>For Orrery's relative ambivalence towards religion in general and his indifference towards Roman Catholicism among members of his household servants, see below, Ch. 11.

<sup>108</sup>HMC, *Stuart*, v, 336. Anne Ogelthorpe to Mar, 16 Dec. 1717, O.S.

<sup>109</sup>*Ibid.*, v, 446. James III to Orrery, 7 Feb. 1718; *idem*, 457. Mar to Orrery, 11 Feb. 1718.

<sup>110</sup>RA, Stuart Papers 46/150. Orrery to James III, 15 May 1720; *idem*, printed in Lord Mahon, *The History of England from the Peace of Utrecht, to the peace of Aix-La-Chappelle* (5 vols., London: John Murray, 1837), ii, Appendix xiv.

<sup>111</sup>RA, Stuart Papers 48/19. James III to Dillon, 6 July 1720.

<sup>112</sup>*The Jacobite Peerage*, comp. and annotated by Henry Massue and Marquis de Ruvigny and Raineval, (London: 1904; Rept. facsimile ed., London: Charles Skilton, 1964), p. 248, warrant endorsed 26 March 1722.



leading Jacobites on occasions, because of his excessive caution and their own jealousy over the degree of trust and intimacy he enjoyed with James III. It is important, however, to bear in mind that this position was occupied with the latter's blessing, and would seem to verify that Orrery occupied a position more prominent than one recent study described as on 'the fringe of the main Jacobite group' in 1721.<sup>113</sup> Calculating Orrery's actual influence and proximity to the Pretender's select inner circle is crucial for understanding fully the strength of controversial evidence concerning Orrery and which may implicate his kinsman, Burlington, who has traditionally been perceived as a loyal Whig, in the Atterbury Conspiracy.<sup>114</sup>

Like many of his fellow conspirators, Orrery was apparently caught unaware by the ill-fated 1719 attempt which culminated in defeat at Glenshiel.<sup>115</sup> The attempt failed in large measure because the French ensured that the British government received ample warning of the scheme and the substantial Spanish support provided never came anywhere near Britain because a hurricane decimated the fleet.<sup>116</sup> Oxford had contrived to send an emissary to Madrid the previous summer as a demonstration of domestic support for a rising backed by the Spanish crown, and Orrery was one of the handful of supporters who were apprised of these plans.<sup>117</sup> Delays, secrecy and rival plots, clouded and confused the scheme, however, and the months following news of the disaster in Scotland seem to have been a period of despondence, soul-searching and posturing for Orrery, as he considered his political options without the benefits formerly provided by his Scottish protector.

The frequency of Orrery's Jacobite contacts in 1719 are also somewhat nebulous, with few

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<sup>113</sup>Clyve Jones, 'Jacobitism and the Historian: The Case of William, 1st Earl Cowper', *Albion*, xxiii (1991), p. 688, n. 28. For further evidence see below, Ch. 9.

<sup>114</sup>See below, Ch. 9, pp. 382-85.

<sup>115</sup>The most recent, and certainly the most scholarly account of the conspiracy which ended in defeat of the small, combined Spanish-Jacobite force in the wilds of the Highlands is in Lawrence Bartram Smith, *Spain and Britain, 1715-1719: The Jacobite Issue* (London: Garland Press, 1987). Also useful are Charles Sanford Terry, 'The Battle of Glenshiel', *Scottish Historical Review*, ii (1905), 412-23; and the more detailed discussion in *idem*, *Jacobites and the Union*, pp. 229-52. A more recent popular account is Christopher Sinclair-Stevenson, *Inglorious Rebellion: The Jacobite Risings of 1708, 1715 and 1719* (London: Hamish Hamilton, 1971), pp. 172-87. A collection of documents concerning the 1719 conspiracy and Jacobite activities in general in 1718-1719 is William Kirk Dickson, ed., *The Jacobite Attempt of 1719* (Edinburgh: University Press, T. & A. Constable for the Scottish Historical Society, 1895).

<sup>116</sup>It is interesting to speculate about the possible significance of Orrery's friend, William Byrd's frequent visits to the Spanish ambassador's residence in London throughout 1718-1719. Byrd's visits often occurred late at night and just after he left Orrery's house: e.g. see *London Diary*, pp. 100, 150-51.

<sup>117</sup>Others were Arran, North & Grey and Charles Caesar; Atterbury and Dillon were not made privy to the plot and even Mar and James III learned of its details at an advanced stage: RA, Stuart Papers 41/75; HMC, *Stuart*, vii, 539-40, 624-25; Smith, *Spain and Britain*, pp. 154-56.

extant letters to or from him in the Stuart Papers.<sup>118</sup> Nevertheless, his growing importance to the Jacobites in the following year is manifested in several rather extraordinary ways. One is in his dissemination of information concerning the Prince of Wales and discord at the Hanoverian Court. As late as the spring of 1720 Orrery was still conveying details gleaned from conversations he had himself conducted with the Prince.<sup>119</sup> His contacts with the future George II continued up to 1722 and were a source of disquiet and mistrust for Sunderland when the Jacobites undertook clandestine negotiations with him about Tory support in exchange for his summons of a new Parliament.<sup>120</sup>

Orrery's prominence can also be seen in his plan to consult with the Duc d'Orleans, the Prince Regent of France, in order to solicit support for the Jacobites. Orrery himself first mentioned the need for a prominent Jacobite to visit France in early 1718, although he doubted that a person 'willing and qualified for such an enterprise' could be located without difficulty.<sup>121</sup> Indeed, this date appears to be a turning point of sorts, for thereafter, his letters became steadily more imperious and he seemed to envision himself as an adviser of increasing significance. His predictions proving correct, by the early months of 1720 he had volunteered himself as the envoy who would seek an audience at the French court. Despite Orrery's reservations about hostility borne towards the Jacobites by France's premier ministre, Abbé Dubois,<sup>122</sup> the Pretender endorsed the proposal. By June 1720 Strafford, Orrery's old diplomatic colleague, was in Paris making arrangements for his arrival and a personal meeting with Orleans.<sup>123</sup> Upon his arrival Orrery was to be instructed on steps taken thus far and would receive a new cypher and a proclamation and letter from James III in response to a memorial on English affairs that Orrery had sent earlier.<sup>124</sup> Another objective of Orrery's mission was to secure the collusion of Scots financier John Law, who was working to help shore up the Jacobites' position in Paris.<sup>125</sup> Law had invited Strafford to Paris and

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<sup>118</sup>RA, Stuart Papers 45/57, is dated 27 Oct. 1719 and addressed to 'R.' and 'O.', which a 19th-century curator of manuscripts at Windsor has rendered 'Rigg' and 'Oston', respective cant names for Atterbury and Orrery. Even if the attribution is correct, the letter's tantalising contents are so vague as to render it virtually useless.

<sup>119</sup>See above, p. 304; and RA, Stuart Papers 46/93. Orrery to James III, 1 May 1720.

<sup>120</sup>RA, Stuart Papers 52/105, 140; *idem*, 53/13, 42.

<sup>121</sup>HMC, *Stuart*, vi, 165.

<sup>122</sup>Orrery had intended to wait until the Regent's removal, which was then thought imminent: RA, Stuart Papers 46/93. Orrery to James III, 1 May 1720; *idem*, 46/150, 15 May 1720; and 47/4.

<sup>123</sup>Strafford had invested heavily in the Mississippi Scheme and may have been in Paris to supervise his financial interests in the uncertain prelude to the company's collapse: RA, Stuart Papers 46/33, 143.

<sup>124</sup>RA, Stuart Papers 47/26. David Dixon to James III, 27 May 1720.

<sup>125</sup>Law had assisted the Jacobites in procuring the dowry for Princess Clementina Sobieski

encouraged him to seek a private audience with the Regent.<sup>126</sup> Just before Orrery's departure, the Pretender announced that he was pleased Orrery was to perform 'a much more considerable part' in the 'the chief management' of his 'most essential affairs' and that they should 'fall into the hands of one so willing & capable'.<sup>127</sup>

Reports of Strafford and Orrery's meetings with Law and the Regent come mainly from the impressionable, and often unreliable, Dillon, and must be weighed accordingly. Dillon related how Strafford met with Law, who anticipated meeting Orrery with great eagerness. With Law's intercession Strafford gained entrance into the Regent's closet but no particulars were agreed upon. Somewhat embarrassed, Strafford thought it appropriate to keep 'a Little Backward' and 'to reserve this point' for Orrery.<sup>128</sup> Strafford also promised that there would soon arrive someone who spoke 'better french and would explain matters...more fully and with more authority.' He then returned to England and informed Atterbury of Orrery's plans. Rumours spread that Ilay was journeying to Paris the same year, and that Orrery was sure to 'Engage' both himself and his brother for the Stuart cause.<sup>129</sup>

Orrery's departure from London in the summer of 1720 was postponed several times over the course of May and June. Reasons for the delays were numerous. There was some misunderstanding that Orrery's departure was to proceed after he had received reports from Jacobite agent James Menzies, but Orrery was unacquainted with Menzies and initially may have mistrusted him.<sup>130</sup> Orrery was probably also reluctant to depart in the midst of feverish speculation in South Sea Company's stock, in which he also seems to have invested heavily.<sup>131</sup> Orrery needed to make it appear that he went to France for diversion, so he hinted for several months that he was planning to cross the Channel after the conclusion of the Lords session and the capital had thinned out, but the session dragged on far longer than anticipated. Orrery further warned that caution was essential, because he was already

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of Poland to become James III's queen in 1719: Haile, p. 279.

<sup>126</sup>RA, Stuart Papers 47/84.

<sup>127</sup>RA, Stuart Papers 48/23. James III to Orrery, 7 July 1720.

<sup>128</sup>RA, Stuart Papers 46/122, 47/33, 84, 102, 110, 132.

<sup>129</sup>RA, Stuart Papers 47/73, 82, 102. It remains unclear whether Ilay made the journey, but he is confirmed as having gone to France for unknown reasons in the autumn of 1719: see Byrd's *London Diary*, p. 324, entry from 4 Oct. 1719.

<sup>130</sup>A veteran agent and Jacobite messenger since before the Fifteen, Menzies' advice was sought because he was on intimate terms with Law; RA, Stuart Papers 47/104, 106; *Letters of George Lockhart*, p. 91.

<sup>131</sup>RA, Stuart Papers 47/106; Mark Blackett-Ord, *The Hell-Fire Duke: The Life of The Duke of Wharton* (Windsor: Kensal Press, 1982), p. 57, says that Orrery, Wharton and others invested together and at the same time but gives no reference for his comment.

suspected by the government, and insisted to James III that any instructions or his own letters from England should 'be seen by no man living but your self'.<sup>132</sup> The Pretender fully endorsed this circumspection, informing one of his agents just before Orrery's arrival in Paris that although he had 'declined entering into Society with my Other Friends' he was none the less 'sincere and may be more usefull' as a result.<sup>133</sup>

Strafford left for England on 18 June N.S., and if he did not meet Orrery on the road to Calais he was to consult with him upon arrival in London.<sup>134</sup> Exactly when Orrery departed for France is unclear, but he did not attend the Lords after 27 May.<sup>135</sup> The timing for his journey could hardly have been worse. As fate dictated, Orrery's visit coincided almost exactly with a rapid decline in Law's favour and a related financial disaster produced by the collapse of the French Mississippi Company.<sup>136</sup> Reports described the Regent's growing weariness at defending the foreigner from the criticism of the French mercantile community. The recently-appointed British ambassador, Sir Robert Sutton, described Law as 'on the brink of a precipice'. Three days prior to Orrery's arrival riots broke out as mobs pursued Law's coach and broke windows in his house.<sup>137</sup> Consequently, Law's influence had declined dramatically by the time Orrery arrived, and even though he retained the Regent's favour for months,<sup>138</sup> his intercession and eventual introduction of Orrery may have proven less advantageous than originally intended.

Orrery arrived in the midst of this confusion on 20 July 1720, N.S.<sup>139</sup> Soon thereafter he met with the Regent and also conferred with Dillon. Although favourable, Dillon's initial impressions of Orrery were not without reservations: 'a very judicious, sedate, intelligent man and truly zealous...of a nice wary disposition', yet 'excessively cautious'. Discerning Orrery's timidity and indecision, Dillon emphasised his unsuitability for the purposes at hand. He noted that Orrery 'expected to be closely questioned by the Regent and that the

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<sup>132</sup>RA, Stuart Papers 46/150. Orrery to James III, 15 May 1720, O.S.

<sup>133</sup>RA, Stuart Papers 48/17. James III to Henry Campion, Rome, 5 July 1720; also see *idem*, 48/21.

<sup>134</sup>RA, Stuart Papers 47/110. Dillon to James III, Paris, 18 June 1720.

<sup>135</sup>LJ, xxi, 338ff. It is also interesting to note that he seems not to have left his proxy with anyone in his absence, or at least it was not presented: HLR0, MS Proxy Book, vii.

<sup>136</sup>In early June Law was removed from his position as comptroller and placed under house arrest: RA, Stuart Papers 47/51.

<sup>137</sup>The unrest in Paris is described in two lengthy dispatches from Sutton to Craggs written on 26 July in: PRO, SP 78/168/216-39; also see HMC, *Portland*, v, 597.

<sup>138</sup>PRO, SP 78/168/447v.

<sup>139</sup>RA, Stuart Papers 48/57. Dillon to James III, 23 July 1720, N.S.

first proposal should be made to him whereas ye subject of his mission is to make it; if he continues in ye same way of thinking he'll certainly return without mending matters'. In other words, Dillon unquestionably thought Orrery was inappropriate for treating with the Regent, for whom the Jacobites needed a forthright person who would explain their needs clearly and with 'a certain convincing resolution'.<sup>140</sup> About a week after his arrival Orrery sent James III a report of the results of his private conference with the Regent which largely corroborated Dillon's criticisms. Regrettably, Orrery described how he had arrived in a 'very unlucky season when affairs are in great confusion.' Orrery announced that he had become convinced that reports of the Regent's favourable disposition were erroneous, and that upon attempting to provide him with the 'occasion of entering into some necessary particulars because it would by no means be proper for me to open myself unless he leads the way, which whatever his inclinations may be, I am apt to think he will hardly do just in this unfortunate conjuncture of affairs'. Although Orrery had formed good opinions of Law, the former believed the Regent would not commit himself to assist the Jacobites and that some of them had been 'too sanguine'. Orrery further confessed that he lacked 'courage enough to venture to negotiate' with Dubois, who, it should be added, was then rightly suspected of receiving a Hanoverian pension.<sup>141</sup> Exactly how long Orrery remained in Paris is unclear. He stayed at least ten days, but had departed by 1 September and was back in London by the month's end.<sup>142</sup> His failed mission to Paris has been completely ignored by recent historians.<sup>143</sup> It appears to have been conceived and conducted with the utmost secrecy and was unknown to all but a few of the leading Jacobites. Atterbury was not told until after Strafford's return to England, and Ormonde and Arran were only notified in letters sent from Rome in July.<sup>144</sup>

Orrery not only arrived in Paris unnoticed by Sutton, but the meetings with the Regent apparently were not reported to the British government or noticed by its own French

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<sup>140</sup>RA, Stuart Papers 48/71. Dillon to James III, 29 July 1720.

<sup>141</sup>RA, Stuart Papers 48/69. Orrery to James III, 29 July 1720. Dubois had notified the British of the Spanish invasion fleet in 1719: Smith, 'Spain and Britain', pp. 182-85; and it was Dubois who supplied Jacobite ciphers to the British government in 1722 and helped warn London of the Atterbury Plot.

<sup>142</sup>His presence can be verified as late as 29 July: RA, Stuart Papers 48/72, 115; *idem*, 49/45.

<sup>143</sup>Neither Fritz, *English Ministers and Jacobitism*; the more dated and sympathetic account in Charles Petrie, *The Jacobite Movement* (2 vols., London: Eyre & Spottiswoode, 1950), ii, 30-42; or Haile's biography of James III mention the mission.

<sup>144</sup>And consequently not received for some weeks thereafter: RA, Stuart Papers 48/21, 55, 120. This in itself may have sparked some jealousy.

informants.<sup>145</sup> Ironically, the reason Orrery's journey to Paris remained obscured may relate to a rare occasion when the Jacobites' intelligence system was superior to that of the Hanoverian government. Around the time of Orrery's arrival, Sutton notified Secretary of State James Craggs that he (Sutton) was committing several dispatches to the care of one Colonel Cecil for safe delivery to London. Sutton did not identify 'Cecil' by Christian name, but referred to him in a context of familiarity which implied prior acquaintance. A week later the said Cecil evidently had not departed from Paris, and Sutton repeated his reasons for Cecil's conveyance of sensitive dispatches describing the unsettled situation in the French capital.<sup>146</sup> This fact is most curious. The presence in Paris of a Colonel Cecil just prior to Orrery's arrival can surely be no coincidence; this could have been none other than Colonel William Cecil,<sup>147</sup> one of Orrery's very closest and most trusted friends who, under Orrery's guidance, increasingly assumed direction of English Jacobite activities after 1727.<sup>148</sup> The significance of Sutton entrusting dispatches to Cecil cannot be overemphasised; it suggests either that Sutton was a remarkably poor judge of his messengers' loyalty, or that he was collaborating with, or at least sympathetic, to the Jacobites, and winked at activities occurring right under his nose. Dubois suspected Sutton of Jacobitism soon after the latter assumed his post,<sup>149</sup> and these suspicions led to his replacement less than a year later.<sup>150</sup> If Sutton was in collusion with the Jacobites, and Orrery knew of his cooperation,

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<sup>145</sup>There are no references to Orrery's arrival in the French archives (AECF) for these months; in Lord Stair's papers: SRO, GD135/141/24-26; nor in the printed *Stair Papers*. Furthermore, a careful scrutiny of Sutton's dispatches for the summer of 1720 reveals not a single reference to even rumours of Orrery's arrival: PRO, SP 78/168. Sutton may have been related to the commander of the mutinous garrison in Bruges in 1713. If so, he probably knew Orrery.

<sup>146</sup>Sutton's letters are in PRO, SP 78/168/91, 124. Just before his departure Stair had reported that the Jacobites were in 'greater numbers in Paris and more insolent' than usual: *Misc. State Papers*, ii, 620-21. Stair to Craggs, 12 June 1720.

<sup>147</sup>In May 1720 Orrery had informed James III that he was expecting the return of two people from France upon 'whose judgement I can depend': RA, Stuart Papers 46/150. Orrery to James III, 15 May 1720. The other person's identity is unknown. It could have been Jacobite agent James Menzies. Another possibility could have been Orrery's former 'Brother' and drinking companion, French Huguenot Colonel 'Duke' Disney, who was also in Paris during the period: RA, Stuart Papers 47/73.

<sup>148</sup>Cecil took over completely after his former commander's sudden death in 1731, and was himself imprisoned in 1744 after being tricked by Walpole. For his Jacobite activities in conjunction with Orrery and after the latter's death see below, Ch. 10.

<sup>149</sup>Sutton's butler and valet, John Semple (or Sempill), was later arrested, interrogated and possibly tortured in Walpole's investigation of the Atterbury Plot. One of Archbishop Wake's correspondents reported that during Sutton's embassy Semple had frequented Jacobite haunts in Paris and had been used to spy on events at Sutton's table for the Jacobites: Christ Church College, Wake MS 22, f. 159. William Ayerst to Wake, 18 Aug. 1722; and below, Chapters 9-10.

<sup>150</sup>Despite the fact that then Secretary of State Lord Carteret refused to believe the charges, ministerial pressure led to Sutton's replacement by Sir Luke Schaub in Feb. 1721: see BL, Add. MS 22515, f. 267; Basil Williams, *Carteret and Newcastle* (Cambridge: University Press,

later.<sup>150</sup> If Sutton was in collusion with the Jacobites, and Orrery knew of his cooperation, then this might explain why Orrery's mission went undetected and why his arrival was delayed until Sutton had replaced Stair.<sup>151</sup> Whatever the case, such a lapse in intelligence at what was probably Britain's single most important foreign posting, partly understandable in a transition between ambassadors, was remarkable and in marked contrast to the previous embassy of Stair.<sup>152</sup>

The secrecy of Orrery's trip is all the more remarkable when the identities of the few confirmed Jacobites who had knowledge of it are considered. The turncoat Mar had been awarded a Hanoverian pension in 1719 and was in regular contact with Sutton's predecessor, Lord Stair.<sup>153</sup> Whether by design or another coincidence, Mar arrived in Paris a few days after Orrery. Since Dillon was heavily under Mar's influence and convinced he was still loyal, he may have leaked Orrery's plans. Dillon's comments about Orrery's mission suggest jealousy of Orrery's status with James III and that he possibly depicted Orrery's efforts in a detrimental light. And, despite Mar's treachery, James III continued to value his advice as well. Mar had suggested that the Jacobites choose two candidates for his replacement as Secretary of State and let the exiled sovereign choose one,<sup>154</sup> notwithstanding Dillon's admission that few men of character would 'forsake all' and come to Rome, especially now that the situation in France had been portrayed so unfavourably by 'notions of a certain cautious person'.<sup>155</sup> As for Orrery himself, he too inexplicably met with Mar but was unable to lure

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<sup>150</sup>Despite the fact that then Secretary of State Lord Carteret refused to believe the charges, ministerial pressure led to Sutton's replacement by Sir Luke Schaub in Feb. 1721: see BL, Add. MS 22515, f. 267; Basil Williams, *Carteret and Newcastle* (Cambridge: University Press, 1943), pp. 45-46. Sutton also had some contacts with William Byrd when he was in London in 1719: *London Diary*, p. 252.

<sup>151</sup>Sutton arrived in Paris on 17 June 1720: *Dip. Reps.*, p. 16.

<sup>152</sup>The implications of Sutton's possible Jacobitism are important. Paul S. Fritz, 'Anti-Jacobite Intelligence, 1715-1745', *Historical Journal*, xvi (1973), p. 279, described Stair as having the 'largest spy network' of any British diplomat during the period and being 'well informed of each and every Jacobite move'. Stair had invested heavily in Law's financial schemes and had been recalled because of criticism of French policy and jealousy over Law's influence: *DNB*, v, 422; SRO, GD135/141/24/16; and cited in Jeremy Black, *British Foreign Policy in the Age of Walpole* (Edinburgh: John Donald, 1985), p. 68.

<sup>153</sup>RA, Stuart Papers 52/54; BL, Add. MS 9129, ff. 40-48; Bennett, 'Jacobitism and the Rise of Walpole', p. 81. Stair had granted Mar a large loan the previous year: *Misc. State Papers*, ii, 599. For an account of a 4-hour visit Mar had with Stair in the autumn of 1717, the same time Mar was soliciting Orrery's support, see *ibid.*, ii, 561. Stair to Craggs, 25 Oct. 1717, N.S. For accusations of Mar corresponding with Sutton in 1722 see RA, Stuart Papers 61/34.

<sup>154</sup>Orrery was also consulted as to possible candidates: RA, Stuart Papers 48/81. James III to Orrery, Rome, 2 Aug. 1720.

<sup>155</sup>RA, Stuart Papers 49/12. Dillon to James III, 24 Sept. 1720, N.S.

through some channel which is now untraceable.

James III had placed great hopes in Orrery's mission. After its miserable failure became clear, he gave the appearance of continued satisfaction with Orrery's abilities and accepted without question the reasons for his failure and his aloofness from certain Jacobites. But he did hint that he would have preferred for Orrery to remain in Paris in order to return to London with some sort of optimistic news. Despite the disappointing outcome, his letters to Orrery still voiced approval, even after receiving a 'melancholy' account of his reluctance to treat with the Regent 'in the design'd manner'.<sup>157</sup> The exiled monarch's comments to other followers, however, betrayed his disillusionment. Although the Pretender still regarded Orrery as a man of 'good sense and truly zealous', he warned Dillon against anything that might 'shock him [Orrery] should he drive his cautions too far'.<sup>158</sup> Dillon castigated Orrery (after his return to London) not only because of his 'ineffectual' abilities and failure as a negotiator, which Dillon believed attributable 'to his unaccountable and odd behaviour' and the 'cautious manner that he was observ'd to inform friends'. Moreover, because he had returned empty-handed, it had become essential to take steps to prevent other Jacobites in England from growing despondent. Dillon remarked that Orrery's own paranoia and isolation, and the little communication he had had with the 'generality of the people' would 'obviate ye ill effect of his melancholy notions might otherwise produce'.<sup>159</sup> The gullible Dillon thereafter proved that he remained under Mar's influence long after the latter had betrayed the Jacobites. The justification of his criticisms, therefore, is questionable. Orrery's cautions and suspicions about the Regent's hostility towards the Jacobites were not simply trepidation or a lack of nerve, for they were corroborated by other informed Jacobites who had been observing the situation in Paris.<sup>160</sup>

Orrery's delayed departure might be criticised and attributed to undue caution or even cowardice, but his actions must be evaluated not from a modern perspective but in the context of the rather remarkable year of 1720. Attainder, forfeiture of estates, humiliation, imprisonment and the possibility of execution were powerful deterrents to outward

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<sup>157</sup>RA, Stuart Papers 48/107. James III's discouragement was somewhat allayed by the observation that Lansdowne could achieve the desired effect if indeed Orrery had failed: RA, Stuart Papers 48/109. James III to Dillon, 19 Aug. 1720.

<sup>158</sup>RA, Stuart Papers 48/109. James III to Dillon, 1720; *cf. idem*, 48/107, 17 Aug. 1720; 48/21, and 48/23. James III to Orrery, 7 July 1720.

<sup>159</sup>RA, Stuart Papers 49/40. Dillon to James III, 7 Oct. 1720.

<sup>160</sup>RA, Stuart Papers 47/82. Theophilus Ogelthorpe to James III, Paris, 14 June 1720, N.S.



manifestations of support for the Stuart Pretender and these were omnipresent in the minds of early eighteenth-century British politicians. These concerns undeniably forced many a disgruntled MP or peer to exercise vigilance and periodically purge any incriminating correspondence.<sup>161</sup> The summer of 1720 was a time of extreme uncertainty. The speculation of the South Sea Company's stock escalated to its pinnacle before crashing like a meteor. Few opposition peers already under government suspicion would have ventured to set out on a dangerous trip abroad with thousands of pounds tied up in securities. Also interesting is that several leading English Jacobites viewed the chaotic period as perfectly suitable for an invasion attempt bolstered by foreign troops, yet none was either thought suitable or willing to risk a journey to Paris to negotiate with the Regent as was Orrery.<sup>162</sup>

Orrery's abortive mission to Paris established something of a precedent for his Jacobite status. Indisputably among the Jacobites' most urbane, intellectual and sophisticated adherents, Orrery possessed extensive military and diplomatic experience and was a superb linguist. Many of these positive qualities were offset, though, by his vanity and his excessive vigilance. Increasingly, he was regarded with suspicion by his more impulsive fellow-conspirators, who soon labelled him 'Jeremiah'. James III continued to view him as 'a sensible man and a true friend,'<sup>163</sup> yet Orrery was virtually ignored by Jacobites in France for several months following his arrival in London in the midst of the South Sea Company's collapse.<sup>164</sup> Orrery's behaviour was apparently motivated by a mixture of inherent circumspection and a sense of realism often manifested by warnings that his prior convictions had apparently been confirmed. One of his most consistent criticisms was that the English Jacobites were wildly over-optimistic. This pattern was followed for years thereafter, but, ironically, all his caution did not preserve him from arrest and imprisonment in 1722.

### III

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<sup>161</sup>Clyve Jones, the chief defender of Lord Cowper's untarnished reputation of loyal Whiggism, neglects to explain why there is a two-year gap in Lady Cowper's diary during the very same time that Orrery became associated with the Jacobites.

<sup>162</sup>The Pretender's biographer records that the Duke of Norfolk, Lords Bathurst and Gower, Sir William Wyndham, and Charles Caesar (who probably knew of Orrery's plans to go to Paris) all urged that the period of financial confusion was perfect for an invasion: Haile, p. 279.

<sup>163</sup>RA, Stuart Papers 50/62.

<sup>164</sup>There are far fewer references to him in the Stuart Papers in the six month period after his return from Paris; see RA, Stuart Papers, vols. 49-50, *passim*.

In both a political sense and for Orrery individually as a Jacobite, 1720 was an important year for several reasons. Significant domestic developments had caused great repercussions in Jacobite aspirations as well as in the manner in which the parliamentary opposition waged battles upon the ministry. One was the reconciliation between the Prince of Wales and George I. Although the Jacobites were disheartened by the healing of the royal breach, initial predictions of its effects were tempered with the passage of time. More consequential, the collapse of the South Sea Company and the ensuing parliamentary enquiries to discredit its managers and blacken the reputations of those ministers deeply involved in the crash provided dissidents with a golden opportunity to illustrate to the public that the ministry was corrupt and unworthy of support. Another related development which transpired as a reaction to these events, and which may have impacted upon Orrery's belated journey to Paris, was the formation of a new opposition group in the Lords of which Orrery became a leading member. The group's evolution, composition, and activities have been analysed in detail very recently,<sup>165</sup> thus its membership and tactics need only be summarised here with additional amplification devoted to Orrery's role.

The newly-formed group was first noticed in the twentieth century over 60 years ago in a pioneering study by C.B. Realey. Drawing heavily upon then hitherto untapped evidence in the French Foreign Archives, Realey dated the group's emergence as the autumn of 1721.<sup>166</sup> Since then, its origins have been revised backwards to early 1721.<sup>167</sup> Its formation can be seen as partially resulting from the events discussed above and roughly corresponded with Orrery's journey to Paris. Recent work proves that, at least in the group's early stages, Lord Cowper was its most active and visible leader and that he masterminded its strategies in debates and the lodging of protests. Contemporaries often echoed the French envoy's description of the group as 'Cowper's Cabal'.<sup>168</sup> Arguably, if admittedly far less organised than in 1721, the core of the cabal can be identified several years earlier, for after the Forfeited Estates Bill in 1718 one finds the same peers signing nearly every Lords protest until 1724. There is also evidence for Cowper formulating pre-sitting strategies for debates at the time of George I's speech in the Lords in November 1718.<sup>169</sup>

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<sup>165</sup>Jones, 'New Opposition', pp. 309-29, cited above, p. 311, n. 103.

<sup>166</sup>C.B. Realey, *The Early Opposition to Sir Robert Walpole, 1720-1727* (Philadelphia: University of Pennsylvania Press, 1931), p. 82.

<sup>167</sup>Jones, 'New Opposition', pp. 310-12.

<sup>168</sup>AECP 338, ff. 233-34, Chammorel's report of 16 Dec. 1721, N.S.

<sup>169</sup>See Cowper's letter to Nottingham, 11 Nov. 1718, asking him to join with Cowper and Oxford when the debate is opened, in Leicestershire RO, Finch MS, Box 4951, Bundle 25. It is also

Clyve Jones has gone to great lengths to refute claims that Cowper's associations with this new opposition group is evidence of his partiality to schemes to restore the Pretender,<sup>170</sup> and may inordinately emphasise Cowper's role in the group's leadership. Despite his virtual hero worship of Cowper (and errors about Orrery's Jacobitism), however, his assessment of Cowper's political thought is relatively sound. Accusations and attributions of Cowper's Jacobitism are speculative and highly circumstantial. By nearly all appearances Cowper strikes one as a Whig, morally upright, a man who detested placemen and stockjobbing, and who exhibited a whiggism almost anomalous in the age of Walpole. Cowper frequently corresponded with Archbishop William Wake, who once complimented him on his voting with other 'stanch old Whigs'.<sup>171</sup> Cowper personally found the duplicity of men such as Walpole and Townshend revolting, and Lord and Lady Cowper's insiders' view of Leicester House revealed the weaknesses of the Prince of Wales all too clearly.

Cowper remained an outsider and an opponent of the ministries of the early 1720s. His political ideology and motivations for shepharding the new opposition group which appeared are not only interesting for their own sake, but make for a fascinating comparison when juxtaposed with the Jacobitism of his fellow opposition peers; they may partially reflect Orrery's own motives for adopting Jacobitism.<sup>172</sup> Cowper's political thought embodied a 'public interest patriotism' which contained fundamental elements of the Country Party's ideology since 1688.<sup>173</sup> One Country tenet was that 'office tainted and power corrupted'. This fear of corruption theme tied in with an argument particularly opportune in the early 1720s in the wake of the collapsed South Sea Company, and coalesced with an 'ethic of civic virtue' which stressed that the court was encouraging the public to pursue wealth and luxury.<sup>174</sup> The

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interesting to recall that Orrery and Uxbridge, another Cabal member, were referred to in a similar vein by Walpole himself in Aug. 1716; see above, p. 296, n. 14.

<sup>170</sup>See his censure of the claims of Eveline Cruickshanks, in his 'Jacobitism and the Historian', pp. 681-96; and her reply: 'Lord Cowper, Lord Orrery, the Duke of Wharton and Jacobitism', *Albion*, xxvi (forthcoming 1994). I am grateful to Dr. Cruickshanks for allowing me to read a draft copy of this essay before it was published.

<sup>171</sup>Christ Church, Wake MS 21, f. 84; for their associations and visits to each other's houses see *idem*, ff. 37-38, 163, 246, 271.

<sup>172</sup>Some idea of Cowper's political philosophy can be derived from his: 'An Impartial History of Parties', which is printed in John, Lord Campbell, *Lives of the Lord Chancellors and Keepers of the Great Seal of England from the Earliest Times till the Reign of King George IV*, 4th ed. (10 vols., London: John Murray, 1847), iv, 344-52.

<sup>173</sup>Jones, 'New Opposition', p. 311. Country ideology is analysed in detail in H.T. Dickinson, *Liberty and Property: Political Ideology in Eighteenth-Century Britain* (London: Methuen, 1977), pp. 102-18.

<sup>174</sup>Dickinson, *Liberty and Property*, pp. 103, 169-75.

emphasis on civic virtue, and the relegation of public to private interests hearkening back to Augustan Rome, was the foundation of Cowper's 'Trojan Horse' speech of 1720, and Cowper often employed Ciceronian oratory in the opposition's attacks in the Lords.<sup>175</sup> Another aspect of the traditional country argument, strong reservations about the maintenance of a large standing army, also played into Jacobite opposition peers' objectives' perfectly; the weaker the Hanoverian military establishment, the greater their prospects of foreign invasion and successful restoration of the Pretender.

One of the remarkable features of the new opposition group was its diverse membership. Because extremely disparate elements shared a common ideological ground that suited both their ends perfectly, it was able to encompass opposite peripheries of the political spectrum. One must underscore the paradox and apparent hypocrisy in a group of outsiders like those comprising Cowper's opposition group making frequent proclamations of their disgust for political office. Predominantly Jacobites, they had little in common with Cowper other than an aversion to the political status quo.<sup>176</sup> In order to fully appreciate this diversity, one must also consider the Tory Party's inauspicious state in 1720-1721. Each passing year and the government's constant vigilance against any hints of Jacobitism saw more and more Tory moderates either cajoled with spoils and promises or voluntarily submit to the ministry. Realey described the Tories as adrift and in disarray, and saw the basic reasons for the disorder as a 'loss of distinctive principles' and poor leadership, particularly after 1724 and Oxford's death.<sup>177</sup> The fact that the Jacobite wing was its best organised element demonstrates the gravity of the party's condition.

Discussing the significance of changes in the opposition's leadership, another more recent author determined that the losses of Orrery, North & Grey and Atterbury after the conspiracy of 1722-1723 'inflicted no lasting damage'.<sup>178</sup> The handful of the most powerful English Jacobite peers, including Strafford, North & Grey, Gower and Orrery, constituted the directors of English Jacobitism, yet the Tory Party's modern historian described Orrery and

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<sup>175</sup>I.e., tying together and highlighting the valid points on opposite sides of the question in preceding speeches, often given by the eloquent Duke of Wharton and the unstable Lord Coningsby; this was a pre-arranged strategy resolved upon in pre-sitting meetings: Cruickshanks, 'Cowper, Orrery and Wharton'.

<sup>176</sup>Realey, *Early Opposition*, p. 43, makes the point that contemporaries and historians alike who assess opposition peers of the 1720s by parliamentary and voting behaviour alone can find little to distinguish Cowper and other whigs from the Jacobites with whom they voted; cf. BL, Add. MS 9149, f. 68.

<sup>177</sup>Realey, *Early Opposition*, p. 46.

<sup>178</sup>Jones, 'New Opposition', p. 315.

his comrades as 'second-rate peers' who were hardly 'fit to manage a wine club'.<sup>179</sup> Realey mentioned the 'recognized' leaders of the Pretender's interests as including Arran, North & Grey, Gower, and Orrery, and citing a lack of unanimity as a hindrance recognised by contemporaries, went on to decree that 'not one filled an important place in the public eye', exhibited ability as a party leader, or showed 'even much inclination to make the most of opportunities that presented themselves'.<sup>180</sup>

The effectiveness of the Tory element of the parliamentary opposition of the early 1720s, therefore, has been subjected to varying assessments. Recent research (and further details to follow) will demonstrate that those assessments may not be entirely accurate. Along with something of a following among disgruntled, junior army officers, North & Grey possessed considerable debating skill and often served as spokesman for the remaining Tory/High Church elements in the Lords.<sup>181</sup> And then there was another figure of some impact whose emergence coincided with this opposition group's appearance: the dissolute, erratic genius, Philip, Duke of Wharton.<sup>182</sup> Son of Junto leader Thomas, 4th Marquis of Wharton, Philip swore allegiance to the Pretender in 1716, but wavered between opposition and government camps until 1723 when he openly espoused Atterbury.<sup>183</sup> Wharton's opposition activities and links with Orrery are slightly less difficult to pinpoint. Wharton made a 'very handsome' but largely unsupported speech in an early 1721 debate on the Irish House of Lords' judicial authority. The following day he again spoke with 'judgement & conduct far above his years' and he and Orrery were among peers who signed a protest launched on the same measure.<sup>184</sup> Wharton's oratory and leadership potential were recognised immediately.<sup>185</sup> In

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<sup>179</sup>Orrery's role as opposition strategist is mentioned in Colley, *Defiance*, pp. 37, 63; the more derogatory assessment is from K.G. Feiling, *The Second Tory Party, 1714-1832* (Oxford: Clarendon Press, 1938), pp. 18-19. Bennett, 'Jacobitism and the Rise of Walpole', pp. 71-72, provides a more recent judgement that is only slightly more complimentary.

<sup>180</sup>Realey, *Early Opposition*, p. 52.

<sup>181</sup>The most detailed discussion of North & Grey's career is found in Eveline Cruickshanks, 'Lord North, Christopher Layer, and the Atterbury Plot', in Eveline Cruickshanks and Jeremy Black, eds., *The Jacobite Challenge* (Edinburgh: John Donald, 1988), pp. 92-106.

<sup>182</sup>The present author aspires to conduct a full-blown study of Wharton in the near future. The most recent biography by Blackett-Ord (cited above, p. 316, n. 131), lacks sufficient analysis and is based on limited sources. Older studies which remain useful include John Robert Robinson, *Philip Duke of Wharton, 1698-1731* (London: Sampson Low, Marston & Company, 1896); and Lewis Melville's *Philip, Duke of Wharton* (London: John Lane, 1913).

<sup>183</sup>Haile, p. 229; Jones, 'New Opposition', p. 315. His genuine loyalty to Jacobitism remains the subject of debate. For a recent discussion see Cruickshanks, 'Cowper, Orrery, Wharton'.

<sup>184</sup>For this and Wharton's involvement in Irish affairs see BL, Add. MS 47029, ff. 10, 14-15.

<sup>185</sup>Bodl., MS Add. A-269, f. 81.

the South Sea debates it was his virulence which infuriated Stanhope and precipitated his fatal stroke.<sup>186</sup> As one of the more violent spokesmen of 'Cowper's Cabal', Wharton looked upon Cowper as something of a mentor. Along with prior acquaintance from Leicester House, Wharton's association with Orrery probably originated with their contact at the group's pre-debate meetings.<sup>187</sup> Thus, although it is correct that several of its leaders possessed individual qualities, as was so often case with the Jacobites, there was no single figure with sufficient charisma and audacity to counteract the threat of apprehension and lack of foreign support. One of the greatest ironies of the Jacobite movement is that its adherents as well as the courts and ministers upon whom they relied all waited on mutual demonstrations of commitment before making a move. As a result, decisive action seldom occurred.

Orrery's criticisms of the British political situation often echoed those found in Cowper's ideology. As unlikely as it may seem, Whig principles may have partially precipitated Orrery's own motives for adopting Jacobitism. The latter are never expressly identified and can only be inferred from Orrery's comments and assessments in his reports to Rome, admittedly, perhaps, coloured with an exaggerated sense of partisan pessimism. Like Cowper, Orrery consistently complains of his disenchantment with government corruption and the ruination of old Whig principles. He apparently held such views prior to Argyll's abandonment of his interests,<sup>188</sup> and repeated them in letters to the Pretender throughout the 1720s. The abuse of power, the rise of the monied interests and officeholders' exclusivity in awarding spoils are all recurring themes.<sup>189</sup> In 1723 Orrery described Walpole and his ministers as men 'feared because they are cruel, without principles, and [who] act in the most arbitrary manner without regard to the known laws or constitution'.<sup>190</sup> A recent study

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<sup>186</sup>HMC, *Portland*, v, 617; Bodl., MS Ballard 32, f. 142. Having lost heavily in the speculation, Wharton was relentless in his attacks on the ministry in the Bubble's aftermath. For this and his speeches (usually seconded by Cowper) in the debates on the South Sea Company see Coxe, *Walpole*, ii, 196; and Timberland, iii, 128-30.

<sup>187</sup>For Wharton's 'consternation' and dejection following the royal reconciliation see Herts. RO, Panshanger MS, D/EP F57, f. 63. Wharton to Cowper, 24 April 1720. In March 1719 Orrery was nominated to a committee to place part of Wharton's estates in the hands of trustees: *LJ*, xxi, 84. Further details on their relationship are supplied below in Ch. 10.

<sup>188</sup>See above, p. 303.

<sup>189</sup>Even the staunchly Jacobite Strafford's letters to Cowper sound as if they were written by a country whig in the 1690s, rather than a Tory working zealously to overthrow a Protestant monarch. In June 1721 Strafford informed Cowper that he was ready to serve his country, as no man in England 'will be able to do who has neither place nor Pension at Court for the Court must draine the Country wch is but a Mallincholy reflection in a Country of liberty as ours is reputed': Herts. RO, Panshanger MS D/EP F57, ff. 49-50.

<sup>190</sup>RA, Stuart Papers 70/47. Orrery to James III, 15 Nov. 1723; and partly printed in Mahon, *History of England*, ii, Appendix xix.

argues that the Whigs were perceived to be ignoring principles they had embraced as members of the opposition in Queen Anne's reign. Consequently, the Jacobites adopted a 'neo-Harringtonian' definition of tyranny and directed it back upon George I's ministers. Whatever the case, it is indisputable and oddly ironic that the Jacobites in fact did share some Revolution principles with late seventeenth-century Whigs.<sup>191</sup> In 1726 Wharton used identical reasoning in a extremely cogent argument that reconciled his Jacobitism with the whiggery of his father.<sup>192</sup>

A remaining question is whether the Jacobites' use of such rhetoric was sincere, and if the behaviour of opposition peers such as Orrery simply belied a predominant desire for offices and power under a new, albeit Catholic sovereign, even at the risk of civil war, imprisonment or execution. In the absence of some vestiges of principle, such a venture seems far too hazardous to engage in merely to regain places; Cowper himself, having grown rich off the perquisites of his Lord Chancellorship,<sup>193</sup> had few qualms about foregoing public life and retiring to his Hertfordshire estate. Orrery's niggardly absentee Irish holdings and his rapacious estate agents denied him the same self-indulgence.<sup>194</sup> None the less, at times the Jacobite option seems one he followed reluctantly and with reservations. Perhaps after his ancestor's actions in the previous century he felt a family obligation to support the Stuarts. Whatever the authenticity of their professed principles, the group of opposition peers commonly denoted as acting under Cowper's leadership soon engaged in a furious campaign of harrying the ministry at every opportunity. In doing so, Cowper may have engaged in what one recent author has labelled 'parliamentary Jacobitism'.<sup>195</sup> With Cowper's domination of their tactics during the 1721-1722 session he merely marshalled a disorganised, largely Jacobite group who beforehand could do little more than quarrel among itself. What is interesting is that as an outsider Cowper probably harnessed its admittedly limited potential in a way that no Jacobite or Tory could. The fractious group to which Orrery belonged may

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<sup>191</sup>Paul Chapman, 'Jacobite Political Argument, 1714-66' (unpublished Ph.D., Cambridge University, 1984), 14-17, 38, 249-68; cf. Dickinson, *Liberty and Property*, p. 166.

<sup>192</sup>*The Duke of Wharton's Reasons for Leaving his Native Country, and Espousing the Causes of his Royal Majesty King James III* ([London?: n.p., 1726]). There is a manuscript copy of this document in NLS, MS 3386, ff. 9-10; and it is also reproduced in the posthumously-published: *Select and Authentick Pieces Written by the late Duke of Wharton* (Boulogne: J. Wolfe, 1731), pp. 86-97; and *idem*, cited in Chapman, p. 17.

<sup>193</sup>J.V. Beckett, 'English Land Ownership in the Late Seventeenth and Eighteenth Century: The Debate and the Problems', *Economic History Review*, xxx (1977), 578, records the £75,000 Cowper derived from his Lord Chancellorship as exceptional.

<sup>194</sup>For a full discussion of Orrery's personal finances see below, Chs. 10-11.

<sup>195</sup>Cruikshanks, 'Cowper, Orrery, and Wharton'.

have been more willing to accept Cowper's direction because they possessed no previous ties or obligations to him.

The opposition group began actively cooperating with Cowper on a regular basis in early 1721.<sup>196</sup> Its membership and heightened level of organisation were clearly discernible after a pre-session strategy meeting it held in October.<sup>197</sup> In attendance were Atterbury, Orrery, North & Grey, Strafford, and Bathurst,<sup>198</sup> along with Archbishop Dawes of York, and Cowper. This meeting resulted in an extraordinary polling list of potential converts--peers and MPs to be solicited by those in attendance to exert influence in the Lords and in the forthcoming election.<sup>199</sup> The list is valuable because it specifically identifies this bi-partisan opposition's membership and illuminates the tactics it adopted. As outlined on the list, Jones identifies a dozen lords who were concerned with canvassing as the group's core, playing down the fact that Jacobites 'did undoubtedly form the major element of Cowper's opposition'.<sup>200</sup> Of this dozen, Atterbury, Orrery, Strafford, and North & Grey constituted nearly all of the most important Jacobite leaders in England. Four others, Lords Bathurst, Bingley, Foley and Compton, were named as loyal Jacobites on a questionable list compiled by Wharton in 1725.<sup>201</sup> Another peer, Lord Scarsdale, was placed along with Bathurst, North & Grey and Strafford on a similar list from 1721 which omits Orrery.<sup>202</sup> Consequently, nearly 75% of those comprising the heart of Cowper's opposition were either known or suspected Jacobites.<sup>203</sup> Furthermore, most peers and MPs on the canvassing list are also on either the

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<sup>196</sup>Beginning in June of 1721, there is an abundance of correspondence in Cowper's papers with the likes of Bathurst, Strafford, Uxbridge, and Wharton, and a single letter from Orrery: Herts. RO, Panshanger MS D/EP F56, ff. 1-4, and *idem*, F57, *passim*.

<sup>197</sup>In doing so the opposition copied a new technique of pre-sessional meetings which was being adopted by the ministry: Jones, 'New Opposition', pp. 317-18; and J.C. Sainty, 'The Origins of the Leadership of the House of Lords', *BIHR*, xlvii (1974), 57, 66-67, for discussions of these meetings by Whig ministers from 1717-1723.

<sup>198</sup>Allen Bathurst (1684-1775), was ennobled as 1st Baron Bathurst in 1712 and created an earl by George III. Bathurst served as godfather to one of Orrery's illegitimate children, for more of which see below, Ch. 11, p. 509.

<sup>199</sup>Often referred to as a list of 'Cowper's Cabal', the document is in Atterbury's hand and found in PRO, SP 35/40/423; and discussed in Jones, 'New Opposition', pp. 318-19 and reproduced on pp. 328-29. It is also cited in Bennett, 'Jacobitism and the Rise of Walpole,' p. 78; *idem*, *Atterbury*, p. 231; and Cruickshanks, 'Atterbury Plot', p. 96.

<sup>200</sup>Jones, 'New Opposition', p. 316.

<sup>201</sup>RA, Stuart Papers 83/89; the list is printed in Fritz, *English Ministers and Jacobitism*, pp. 160-61.

<sup>202</sup>Scarsdale was not on the 1725 list. Although not of the core group, Orrery's friend Lord Windsor was also on the 1721 list, which is found in RA, Stuart Papers 65/16; and printed in Fritz, *English Ministers and Jacobitism*, pp. 147-59.

<sup>203</sup>The only exceptions being Cowper himself, the Hanoverian Tory Archbishop Dawes of York, and the moderate Tory relative of North & Grey, Lord Guilford.



1721 or the 1725 Jacobite lists, or both.<sup>204</sup>

The precise date of Orrery's affiliation with the new opposition is uncertain. His friendship with Cowper remains undocumented, but they undoubtedly encountered each other at Leicester House long before 1721. Since Orrery's parliamentary attendance was spotty in 1720, his close affiliations with the Cabal may date from the following year after his return from France. Jacobite or not, core members were appointed to canvass supporters. The October 1721 meeting's list designated Orrery to solicit support from his former brother-in-law, Lord Exeter,<sup>205</sup> Anglesey and Abingdon (with whom Orrery appears to have maintained ties since their collaboration in the Protestant Succession vote in 1714), Somerset, and Lord Willoughby de Brook.<sup>206</sup> The apathy and dejection of Hanoverian Tories such as Abingdon is evident in the reaction Orrery met with in his canvassing efforts.<sup>207</sup> If proxy retention establishes the beginnings of Orrery's associations with the Cabal, it can definitely be placed from 1721, for after 1720 Orrery held the proxies of only Tories, usually close friends such as Uxbridge or Windsor.<sup>208</sup>

It is important to remember that from the outset the main intent of the new Lords opposition was to become a thorn in the ministry's side. The government's majority was often as high as three to one, so the opposition's aim in debates and frequent protests was more to draw public attention to corruption and battle the ministry in a war of attrition rather than to entertain any real hope of achieving its rapid overthrow. Any issue, however minor, was a target to attack; any frailty or impropriety an object of condemnation and ridicule.<sup>209</sup> According to the French ambassador, the purpose of what he himself dubbed the 'Caballe' was to 'attaquer et inquieter' the government. When pressed as to why he stubbornly persisted in this futile opposition with such vigour, Cowper replied that he well knew he was unlikely to

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<sup>204</sup>Some of these, who frequently joined in signing the Lords protests of 1721-22, were Lords Abingdon, Uxbridge, Craven, Willoughby de Broke, Exeter, and Plymouth.

<sup>205</sup>Exeter's role in the opposition seems to have been minimal; his fondness for drink apparently contributed to his early death on 21 Dec. 1721, before this session was completed: Boyer, *Political State*, xxii, 664.

<sup>206</sup>Very little is known about Orrery's links to these latter figures.

<sup>207</sup>Abingdon was reluctant to take the trouble of attending the Lords unless it was thought absolutely necessary and instead provided Orrery with his proxy: see his letter to Orrery in BL, Stowe MS 750, f. 386, dated 11. Nov. 1721; also cited in Jones, 'New Opposition', pp. 318-19. Wharton also wrote to Abingdon along the same lines.

<sup>208</sup>Orrery held Anglesey's proxy in Jan. 1721 and presented it on 9 Feb.; and Abingdon's in May and November of the same year. He also held Uxbridge's proxies dated 2 May 1720, 2 Feb. 1721, and Lord Windsor's, dated 1 Nov. 1721: HLRO, MS Proxy Book, vii.

<sup>209</sup>Realey, *Early Opposition*, pp. 80-83, citing AECF 338, f. 226, described the Cabal's design as to 'render the ministry odious to the nation'; cf. HMC, *Portland*, vii, 310.

dislodge the enemy but he could bombard his fortress nevertheless.<sup>210</sup> In order to sustain this ministerial bombardment, the group's organisational level was necessarily high because of its main weapon: the lodging of protests. Jones rightly highlights this aspect of the group's activity as among its most significant, since it was apparently the first concerted opposition effort to publish protests as propaganda so as to influence public opinion.<sup>211</sup> Since the frequent protests were agreed to and composed in some cases in a matter of hours, he has calculated that 'much thought undoubtedly went into their composition', and that the group required a 'daily pre-sitting session' in order to fulfil the requirement that reasons for the protests could be entered before the start of the next sitting. Whether Cowper's physical presence was necessary at these conferences cannot be proved,<sup>212</sup> but numerous letters from Cabal members requesting his presence during an unexpectedly prolonged session in the summer of 1721.<sup>213</sup> It has also been argued that the membership of Cowper's Cabal overlapped with that of a smaller, and evidently more exclusively Jacobite gathering known as 'Burford's Club', and that both groups supposedly met weekly at Orrery's own London house.<sup>214</sup> Orrery's close connection concerns the fact that 'Burford' was one of his Jacobite cant names.

The existence of Burford's Club has recently become the subject of fierce debate, however, and it may be reasonable at this point merely to focus on Orrery's role in this new opposition in addition to canvassing and to speculate on the possibility that he may have hosted some of these meetings. Despite limited means, he had a penchant for entertaining on a grand scale.<sup>215</sup> His aforementioned fondness for private gatherings to discuss politics and pre-sessional parliamentary tactics has been noted above,<sup>216</sup> and suggests that he relished the role of hosting secret strategy meetings before important Lords votes.<sup>217</sup> Hospitality and

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<sup>210</sup>AECP 338, ff. 233-34, Chammorel's report of 16 Dec. 1721, N.S.

<sup>211</sup>This element of the new opposition's activities is discussed in Clyve Jones, 'Opposition in the House of Lords, Public Opinion, Newspapers and Periodicals, 1720-23: Lord Cowper's Campaign of Protests', *Journal of Newspaper and Periodical History*, vii (1992), 51-55.

<sup>212</sup>Jones, 'New Opposition', pp. 309, 320-21; cf. HMC, *Portland*, v, 555.

<sup>213</sup>The only letter from Orrery to Cowper located thus far is such a request for Cowper to return from the waters at Bristol; see Herts. RO, Panshanger MS D/EP, F53, f. 74.

<sup>214</sup>Colley, *Defiance*, p. 63, 315, n. 30, based her arguments on confusing and problematic evidence from testimony taken during the investigation of the Atterbury Plot. She is accused of error by Jones, 'New Opposition', p. 320, n. 42. Burford's Club and this same evidence is discussed at greater length below, Ch. 9, pp. 373-75.

<sup>215</sup>Budgell, pp. 245-46.

<sup>216</sup>See above, Ch. 4, p. 140; and Ch. 8, p. 296. Throughout the 1710s Orrery held annual dinners for his Christ Church friends: *Journal to Stella*, ii, 502.

<sup>217</sup>On 8 April 1719, around the Peerage Bill debates, Byrd visited Orrery and found the Duke

zeal for entertaining friends and political associates do not necessarily confirm Orrery's house as the group's daily meeting place, but, taking the group's political persuasion into account, it is easier to imagine meetings among the likes of Atterbury, Bathurst, Strafford and Orrery having occurred at the last's residence than to envisage Cowper holding frequent receptions for a band of known Jacobites.

More significant, there is irrefutable and thus far disregarded evidence which proves that after Cowper's death, Orrery himself composed opposition protests.<sup>218</sup> Admitting that Orrery hardly ever spoke in the Lords, Budgell described how his 'Sentiments were often delivered by the Mouths of Others, and his Pen frequently employed to draw those Protests to which so many other Lords besides himself set their Hands'.<sup>219</sup> Viewing Budgell's remark with its requisite scepticism, and considering the urgency with which the protests were composed, it does not seem implausible to conclude that, despite Orrery's oratorical diffidence, the group would have utilised his extensive education and literary flair to assist in the composition of protests prior to Cowper's death. The lack of additional correspondence with other cabal members precludes more than informed speculation,<sup>220</sup> yet there is also evidence linking Orrery to subsidising the publication of protests for popular consumption in Jacobite newspapers in early 1722.<sup>221</sup> Of these the most widely read was *The Freeholder's Journal*, which several recent studies have mis-identified,<sup>222</sup> even though Realey discussed the paper (with its correct title) nearly 60 years ago.<sup>223</sup> With decidedly Jacobite leanings, in a good week the paper sold in excess of the then substantial total of 8,000 copies.<sup>224</sup>

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of Buckingham, Strafford, Sir Thomas Hanmer and others present: *London Diary*, p. 253.

<sup>218</sup>See below, Ch. 10, pp. 393, 440.

<sup>219</sup>Budgell, p. 234.

<sup>220</sup>Cowper's correspondence with Orrery and other Jacobites was evidently weeded out in the wake of the Atterbury Plot and thus far only the single letter between Cowper & Orrery survives in the former's papers.

<sup>221</sup>RA, Stuart Papers 100/45, suggests that Orrery indirectly supported the writings of Irish cleric Philip Neynoe in early 1722 for a Jacobite paper entitled *The Freeholder's Journal*; for more on this and Neynoe see below, Ch. 9.

<sup>222</sup>Fritz, *English Ministers and Jacobitism*, p. 88, Cruickshanks, 'Atterbury Plot', p. 100; Jones, 'Cowper', p. 690; *idem*, 'Cowper's Campaign of Protests', pp. 53, 55; and *idem*, 'New Opposition', p. 324, all refer to this publication as *The Freeholder* when in fact it was entitled *The Freeholder's Journal*. Simon Targett, 'Sir Robert Walpole's Newspapers, 1722-42: Propaganda and Politics in the Age of Whig Supremacy', (unpublished Ph.D., Cambridge University, 1989), p. 28, gives the correct title, as does Chapman, p. 14, who apparently first noticed the error recently and gives a valuable discussion of the paper's circulation, readership and ideology.

<sup>223</sup>Realey, *Early Opposition*, p. 147; also see his seldom-used essay, 'The London Journal and its Authors, 1720-1723', *Bulletin of the University of Kansas Humanistic Studies*, v (1935), 17.

<sup>224</sup>PRO, SP 35/31/39; Targett, 'Walpole's Newspapers', p. 28.

After the failed attempt to invade Scotland in 1719, dejection and weakness apparently paralysed the wills of Orrery and many of his Jacobite colleagues. Their temporary inaction was interrupted in 1720 by a sudden turn of events: specifically, the collapse of the South Sea Company and the resulting political recriminations. The proceedings against the South Sea Company consumed much of the 1721 session and, as alluded to above, sufficiently inspired the debilitated Tory/Jacobite opposition in the Lords to regroup and renew the attack. During this period of instability, the exceedingly complex series of plots and overlapping conspiracies collectively known to posterity as the Atterbury Plot was conceived. Its complexity and the vexing question of the level of Orrery's involvement requires a separate chapter, but it is crucial to understand that Cowper's opposition group's activities came to full fruition while the Jacobites were also engaged in these preparations and in the midst of, and partly resulting from, negotiations with some of the leading Whig ministers, principally, Charles Spencer, 3rd Earl of Sunderland, whose parliamentary influence had declined as a result of the financial crisis. As the negotiations began in the early months of 1721, he sought and obtained support not only from Jacobites but Scottish MPs and peers as well.<sup>225</sup> Sunderland's appearance of moderation and his shrewd, though in all likelihood, insincere intimations of an early election and the possible formation of a mixed ministry helped secure this support, which proved crucial in preventing his impeachment by enabling him to deflect parliamentary hostility.<sup>226</sup> He was forced to resign as First Lord of the Treasury, but since he retained the office of Groom of the Stole, he retained the favour and confidence of the very monarch the Jacobites hoped he would help them overthrow.

Orrery played a prominent role in not only these negotiations and, as a member of the new opposition group, in the entire 1721-1722 parliamentary sessions. Although Orrery's attendance for the spring of 1721 was intermittent,<sup>227</sup> he signed 23 of the unprecedented 27 protests presented in the Lords between 8 March 1721 and 5 March 1722.<sup>228</sup> The Cabal's recent

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<sup>225</sup>BL, Add. MS 61632, ff. 216-17.

<sup>226</sup>For Sunderland's actions during the South Sea Crisis see Townend, 'Sunderland', pp. 278-90. The debates on the guilt of the proprietors of the company are outlined in detail in the valuable collection of newsletters sent by Perceval and found in BL, Add. MS 47076, ff. 10-125; and in Timberland, iii, 150-85.

<sup>227</sup>LJ, xxi, 478-590; Orrery ceased to attend altogether in July except for the reading of the report on the conference on the South Sea Company: *ibid.*, 560-66.

<sup>228</sup>*Protests*, i, 255-308.

historian sees the South Sea debates as the true beginning of its concerted protesting campaign.<sup>229</sup> Orrery resisted signing a protest concerning the South Sea Bill lodged on 10 January 1721.<sup>230</sup> Cowper delivered his famous Trojan Horse speech against the South Sea Annuities Bill on 5 April 1721 and was supported by Wharton and North & Grey.<sup>231</sup> The group also entered a protest on an amendment to the Calico bill on 8 March 1721.<sup>232</sup> The Cabal's effectiveness as well as its voting guidelines were demonstrated by steps the widowed Duchess of Marlborough took in her case before the Lords concerning Blenheim Palace. Anxious to gain maximum support, she canvassed diverse members of the opposition, many of whom had been bitter foes of her deceased husband, such as Argyll and North & Grey, in hopes of 'gaining those peers, both Whig and Tory, who seemed most likely to oppose the Court on principle, whatever the issue'.<sup>233</sup>

Sunderland's motivations for negotiating with the Jacobites in the summer and autumn of 1721 should have been patently obvious to contemporaries and were rightly regarded with great suspicion by many, including the ever cautious Orrery.<sup>234</sup> Atterbury's role in encouraging the contacts was crucial. He had been convinced for years that any real hopes of a Stuart restoration rested upon some compromise with a powerful incumbent minister.<sup>235</sup> Despite the negligible value of Orrery's diplomatic activities the previous year, he too was selected to assume a prominent part in the secret negotiations. The date of the initial contacts with Sunderland, and the identity of those who made them, is somewhat unclear. Sunderland's

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<sup>229</sup>Jones, 'New Opposition', p. 311.

<sup>230</sup>*Protests*, i, 252; *LJ*, xxi, 388. Bodl., MS North b.2, ff. 291-92, is a manuscript draft protest dated 19 Jan. 1721 that apparently was never lodged. It contains the names of 21 fellow peers and includes Orrery.

<sup>231</sup>The speech is printed in Herts. RO, Panshanger MS D/EP F182, ff. 12-13; and *PH*, vii, 647; also see John, Lord Campbell, *Lives of the Lord Chancellors and Keepers of the Great Seal of England from the Earliest Times till the Reign of King George IV*, 4th ed. (10 vols., London: John Murray, 1857), iv, 331-32; and excerpted in Jones, 'New Opposition', p. 311.

<sup>232</sup>BL, Add. MS 47076, f. 27; *Protests*, i, 255-57. Signees then also included Orrery, North & Grey, Wharton and Cowper.

<sup>233</sup>Frances Harris, 'Parliament and Blenheim Palace: The House of Lords Appeal of 1721', *Parliamentary History*, viii (1989), 51. The Duchess received kind assurances of support from Cowper, Argyll, North & Grey and Gower. The appeal involved a complex case arising out of arrears owed to stonemasons and builders at Blenheim and evolved into a bitter suit between the Duchess and Vanbrugh.

<sup>234</sup>For the most recent discussion of the intrigues and the debatable question of Sunderland's Jacobitism see Jones, 'Sunderland' (cited above, p. 311, n. 104). Also see Bennett, 'Jacobitism and the Rise of Walpole', pp. 73-82; Townend, 'Sunderland', pp. 296-300; and Fritz, *English Ministers and Jacobitism*, pp. 81-82. For a divergent view cf. Cruickshanks, 'Atterbury Plot', pp. 93, 99.

<sup>235</sup>Bennett, *Atterbury*, p. 216, reasons Atterbury had reached this conclusion in 1717. If for more self-interested reasons, Mar had put out feelers to Sunderland the same year: BL, Add. MS 9129, ff. 41-46.

biographer argued that his 'most serious overtures' were to Viscount Harcourt and Orrery's kinsman Lord Carleton.<sup>236</sup> Enquiries were also made to Atterbury, Tory MP Archibald Hutcheson, and to Orrery himself through a Scottish MP, Captain Alexander Urquhart.<sup>237</sup> As Orrery had suspected of Argyll, Atterbury was soon assured that Sunderland found the Prince of Wales so distasteful that he would dissolve Parliament, allow the election of a Tory Parliament in its place, and invite Orrery, Strafford and other Tory peers to serve in a mixed, moderate ministry.<sup>238</sup>

Orrery surely entertained serious doubts about the feasibility of a bargain with Sunderland; Carleton's fairly close friendship with the minister may explain why Orrery was initially approached.<sup>239</sup> Despite mutual suspicion and hostility, through Urquhart's best efforts, several meetings transpired. Charles Caesar mentioned that Orrery wrote a letter to James III which gave a detailed report of one of the conferences with Sunderland, but this letter does not seem to have survived. Therefore, the only evidence for their meetings is derived from secondhand accounts.<sup>240</sup> One of these related Sunderland's 'greate offers' to Orrery but his refusal to concede to demands for a new Parliament and Tory control of the Army.<sup>241</sup> A different, and probably more realistic, assessment came from perhaps the most active Jacobite agent in England, a Scot named James Hamilton. Hamilton developed a close friendship with Orrery,<sup>242</sup> and it is from his reports to Rome that Orrery's Jacobite activities are illuminated. Hamilton's correspondence confirms that several meetings indeed occurred between Orrery and Sunderland, but the 'mistrust or Schyness of both keep them off from the main point', and forestalled any resolutions for cooperation.<sup>243</sup> Along with a

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<sup>236</sup>Townend, 'Sunderland', p. 295; cf. BL, Add. MS 47029, f. 90.

<sup>237</sup>For Urquhart and his contacts with Sunderland see *Lockhart Papers*, ii, 67-68; and Jones, 'Sunderland', pp. 70-72.

<sup>238</sup>RA, Stuart Papers 53/79, Charles Caesar to James, 4 May 1721; Bennett, 'Jacobitism and the Rise of Walpole', p. 76.

<sup>239</sup>HMC, *Fifteenth Report, Appendix, Pt. vi, The Manuscripts of the Earl of Carlisle* (London: H.M.S.O., 1897), pp. 30-31; Realey, *Early Opposition*, p. 56.

<sup>240</sup>Mary Caesar claimed that Sunderland 'had More Conferences than one with Lord Orrery': BL, Add. MS 62558, f. 26. Budgell, p. 245, records that Sunderland 'earnestly courted' Orrery's friendship and that he had a 'Long Conference' with Sunderland only a few days before his death in April 1722.

<sup>241</sup>RA, Stuart Papers 52/100. Fanny Ogelthorpe to James III, 9 March 1721. The Pretender remained insistent that Sunderland's promises of a new Parliament alone were insufficient: *idem*, 53/43.

<sup>242</sup>Hamilton gained Orrery's utmost trust and usually received Orrery's correspondence from Jacobites on the Continent. They remained close until the late 1720s.

<sup>243</sup>RA, Stuart Papers 58/38. Hamilton informed James III that the pair had met on 27 Feb. 1721 through 'my friend the Brigadier', possibly referring to Colonel James Grahme: also see RA, Stuart Papers 52/105; *idem*, quoted at length in Jones, 'Sunderland', pp. 72-73, as proof that

natural antipathy that probably dated to Orrery's service with Marlborough, one of the main reasons for Sunderland's unease related to Orrery's continued friendship with the Prince of Wales. Sunderland himself mentioned this as a reason for distrusting Orrery,<sup>244</sup> and since he bore principal responsibility for turning out Argyll in 1716 and in evicting the Prince from St. James the following year, Sunderland had ample reason to dread the potential consequences of George I's unexpected death.<sup>245</sup> From Paris, Menzies, obviously well informed as to the negotiations, related an account which corroborated Hamilton's appraisal. Menzies was aware of '2 or 3 meetings' between Sunderland and Orrery in which both men 'spoke Close enough as to the good of Jennings [England], but neither of them came plain to the chief point,' nor did Sunderland 'take amiss' at Orrery's 'Shyness'.<sup>246</sup>

Sunderland's evasiveness and the hesitation prompted by Orrery's somewhat ironic Leicester House favour did not prevent Atterbury from becoming genuinely convinced of Sunderland's insinuations that he would espouse James III's cause. Sunderland's protégé, Lord Carteret,<sup>247</sup> accompanied his mentor on many rather extraordinary visits to Atterbury's lodgings at the Westminster Deanery.<sup>248</sup> Carteret himself seems to have won the confidence of some English Jacobites and, if a government informant's later reports are true, he may have reciprocated with indications of support after Sunderland's death.<sup>249</sup> Other Jacobites remained equally persuaded of Sunderland's sincerity and later expressed remorse over his

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Sunderland was not a Jacobite; and Bennett, *Atterbury*, p. 227. Hamilton often used 'Jeremiah' as Orrery's cant name in letters written during this period.

<sup>244</sup>RA, Stuart Papers 52/140.

<sup>245</sup>Jones, 'Sunderland', p. 68, discusses this facet of the Orrery-Sunderland negotiations.

<sup>246</sup>RA, Stuart Papers 53/13. Menzies to James III, Paris, 1 April 1721. The similarity to descriptions of Orrery's talks with the Regent a year earlier are striking.

<sup>247</sup>Carteret was a Christ Church graduate and an accomplished linguist and classicist (who was also quite fond of Bentley, whom he had met in 1721). Carteret had replaced Craggs as Secretary of State for the Southern Department after the latter's death in 1721. He and Carleton were both popular with George I's Hanoverian ministers and the king, thus partially explaining their appointments: Plumb, *Walpole*, i, 358; HMC, *Egmont*, i, 106; BL, Add. MS 47128, f. 46; Williams, *Carteret and Newcastle*, pp. 88-92.

<sup>248</sup>Plumb, *Walpole*, i, 364-65, records that Carteret visited Atterbury daily in August 1721; cf. HMC, *Portland*, vii, 295.

<sup>249</sup>In 1726 Atterbury reputedly stated that, had Sunderland lived, the Bishop would never have been arrested and banished from England: BL, Add. MS 9129, ff. 61, 144, based on the conversations of government spy John Semple, with Atterbury in 1726; cf. CUL, Ch. (H) MS, Corr. #1292. Semple to Horatio Walpole, 30 March 1726. Further details on Carteret's possible Jacobite sympathies are discussed below, Ch. 9, p. 348.

demise,<sup>250</sup> despite evidence that the French court was sufficiently well informed to have never doubted his true intentions.<sup>251</sup> Sunderland played the Jacobite camp's naiveté to the utmost. The intrigues were viewed with such gravity that Townshend and even Walpole himself contacted Atterbury.<sup>252</sup> Orrery's presence during these meetings is unlikely, but he was undoubtedly apprised of their proceedings by his former tutor. It is also possible that Orrery's low profile was intentionally maintained in order to facilitate his position in these extremely complex and dangerous discussions.

Two distinct phases of the negotiations can be distinguished. The early phase extended up to the autumn of 1721 and saw Orrery's direct involvement. By its nature this phase was the most promising to the Jacobites. With his political survival on the line, Sunderland was willing to regale them with wild promises he had little intention of keeping. The second phase which followed saw increasing scepticism and warnings from Orrery and others, as it became evident that Sunderland would not or could not undertake their interests in the manner he had suggested. The Jacobite and Tory peers had lent Sunderland support on several crucial votes. In return, their recompense was his backing on minor measures,<sup>253</sup> and the political bargain he achieved in return was disproportionate in comparison. Two other events further confirmed Sunderland's self-interested motives. One was a political reconciliation between the Walpole and Sunderland camps in the autumn largely staged as a show of solidarity. Imaginary or not, it rightly convinced the Jacobites that they would confront a unified Whig

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<sup>250</sup>As late as 1726 after the impressionable Duke of Wharton had adopted Jacobitism he and other followers were reportedly 'still full of Elogiums of My Lord Sunderland, whose Death they lament as a fatal blow to their Cause': PRO, SP 78/183/220; and *idem*, printed in *Misc. State Papers*, ii, 636-38; and in Melville, *Wharton*, pp. 175-76.

<sup>251</sup>BL, Add. MS 38537, ff. 496v-97v. (copy), Schaub to Carteret, Paris, June 1722; even Mar, who had superior knowledge of Sunderland's true intentions, warned the Pretender of the futility of talks with him and cautioned that he 'never designed to bring them [the Jacobite opposition peers] in'. Ironically, Mar's cries of 'wolf' were largely ignored: RA, Stuart Papers 54/116. Mar to James III, 18 Aug. 1721; for Jacobite complacency at Sunderland's attention see BL, Add. MS 47029, f. 55.

<sup>252</sup>BL, Add. MS 70145, n.f. Edward Harley to Abigail Harley, 22 June 1721; Plumb, *Walpole*, i, 363ff.; Bennett, *Atterbury*, p. 230. Bids for Atterbury's support supposedly saw him offered the rich Bishopric of Winchester: BL, Add. MS 32686, f. 330.

<sup>253</sup>The most important was Sunderland's support of Atterbury's plans for a new dormitory at Westminster School which narrowly passed by 28 to 26 votes on 16 May 1721 largely thanks to Carteret and Sunderland's own votes, while Cowper, Uxbridge, and Bingley were among those who opposed. Orrery is not on the list and was absent the day of the vote: *LJ*, xxi, 520. For a list of how peers voted in the case in BL, Harleian MS 7190, f. 310; *idem*, cited in Townend, 'Sunderland', p. 296; also BL, Add. MS 5994, f. 20; and BL, Add. MS 70145, n.f. Edward Harley to Abigail Harley, 22 June 1721. A work in the press which analyses this political *quid pro quo* between Atterbury and Sunderland is Clyve Jones, 'Jacobites under the Beds: Bishop Francis Atterbury, the Earl of Sunderland, and the Case of the Westminster School Dormitory of 1721', *British Library Journal* (forthcoming).



opposition in the upcoming election.<sup>254</sup> When Parliament resumed in the autumn of 1721 without the fulfillment of Sunderland's promise to call an early election, most English Jacobites bitterly realised their fatal mistaken trust. Some condemned Atterbury for his carelessness, while others, such as Bathurst, expressed a willingness to defect from the cause. Orrery, his fellow conspirators, and other opposition politicians do not seem to have fully understood their situation until late October 1721, when their aforementioned strategy session was held. Atterbury's biographer remarked that they were driven to 'sink their differences' and compile their polling list 'out of shock' that the Whigs were indeed going to fight tooth and nail for every single borough seat.<sup>255</sup>

Following on this realisation and their vigorous canvassing campaign, in the following six months Cowper and the Tory/Jacobite opposition peers launched an unprecedented attack on the ministry.<sup>256</sup> On 13 November 1721 Cowper censured the King's Speech with complaints about exorbitant Navy Debts incurred in the Baltic,<sup>257</sup> and a division which followed over the omission of some words pertaining to prevention of future naval debts prompted a protest that was signed by Orrery and his fellow caballers.<sup>258</sup> Two days later Orrery signed a protest on a defeated motion for the king to present before the House Lord Carteret's instructions as envoy to Sweden.<sup>259</sup> December saw a succession of protests following divisions on: the laying before the House of the Treaty of Commerce, a continuation of the Navy Debts debate,<sup>260</sup> a petition from the Lord Mayor of London and City Aldermen pertaining to the Quarantine Bill on 6 and 12 December 1721, a division over a motion to lay Admiral Byng's instructions before the Lords, and another division on the Mutiny and Desertion Bill. All of these protests bore Orrery's signature.<sup>261</sup>

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<sup>254</sup>RA, Stuart Papers 55/19, 57; Plumb, *Walpole*, i, 369.

<sup>255</sup>See above, p. 329; and Bennett, 'Jacobitism and the Rise of Walpole', p. 78.

<sup>256</sup>For a discussion of the protesting campaign see: Realey, *Early Opposition*, pp. 80-93.

<sup>257</sup>BL, Add. MS 47076, ff. 241, 246-47; RA, Stuart Papers 56/32. Cowper's speech and notes on the Navy Debts are contained in Herts. RO, Panshanger MS D/EP, F182, ff. 52-62.

<sup>258</sup>*Protests*, i, 259.

<sup>259</sup>*Protests*, i, 260; the protesters were recorded in *Political State*, xxiii, 177-78; and *LJ*, xxi, 605-06. There is a manuscript copy of the protest which presumably belonged to North & Grey in: Bodl., MS North b.2, ff. 244-45.

<sup>260</sup>Timberland, iii, 193-95; *Protests*, i, 261-62.

<sup>261</sup>Timberland, iii, 199-205; BL, Add. MS 47076, ff. 265, 274, 279-80; *Protests*, i, 263-67. For opposition efforts to influence City of London elections see Jeremy Black, 'Giving Life to the Honest Part of the City: the Opposition Woos the City', *Historical Research*, ix (1987), 116-17; and Nicholas Rogers, *Whigs and Cities: Popular Politics in London in the Age of Walpole and Pitt* (Oxford: Clarendon Press, 1989), pp. 13, 41-46.

When the session resumed in 1722, Orrery's attendance again came to resemble something of his former zeal for political participation. With the exception of the period 15-19 January and 9-12 February, he attended every single meeting from January through March, when the troublesome Parliament was dissolved.<sup>262</sup> He failed to sign a 13 January protest over another division on the Mutiny and Desertion Bill,<sup>263</sup> and absence precluded his signature on two protests against a petition of London clergy for a bill affecting Quakers.<sup>264</sup> Otherwise, Orrery joined the opposition by signing the remaining eleven protests presented in this brief period.<sup>265</sup> Several concerned additional readings of bills or motions on the Navy Debts in January and February.<sup>266</sup>

Perhaps the most significant of all the protests was one lodged after a debate on the freedom of elections in mid-February. The tenacious campaign of protesting had infuriated Sunderland, who was often personally involved in the debates in the ministry's defence. On 13 February a bill to prohibit the manipulation of elections--a timely subject for the disappointed Jacobite opposition--was read for the second time and carried by the court. A division and protest followed, the latter containing the words: 'corruption was admitted in the debate to have been freely practiced'.<sup>267</sup> This phrase rankled Sunderland's frayed nerves and its potential damage to the ministry was rendered more serious because of the protests' publication.<sup>268</sup> Responding to this effrontery in a speech a few days later, Sunderland addressed what he viewed as the frequently abused privilege of entering protests which had so characterised the previous months' debates. He also took personal offence at the protest's remarks, the intent of which would not have been completely surprising; by now it was all too clear that his overtures to the Jacobites were simply political posturing and, since most of

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<sup>262</sup>*LJ*, xxi, 660-75. After his arrest and imprisonment in the autumn of 1722, Orrery would not appear in the Lords chamber again until Jan. 1724.

<sup>263</sup>*BL*, Add. MS 47076, f. 293v; *Protests*, i, 271-73. Orrery's failure to join his opposition fellows in this protest is curious, as he was recorded present in the House: *LJ*, xxi, 646. There is a copy of the protest sent to Rome in RA, Stuart Papers 57/28.

<sup>264</sup>*BL*, Add. MS 47076, f. 305; *Timberland*, iii, 211-15; *Protests*, i, 273-79; *Political State*, xxiii, 185-91. A manuscript copy of the Quaker Bill protest is in Bodl., MS North b.2, ff. 262-63.

<sup>265</sup>Many of these protests were reprinted in Boyer, *Political State*, xxiii, 175-23.

<sup>266</sup>*Timberland*, iii, 218-23; *Protests*, i, 279-99, contains five protests on successive readings or motions on the bill.

<sup>267</sup>*Political State*, xxiii, 219-23. *BL*, Add. MS 47076, ff. 325-26, has an account of the debate.

<sup>268</sup>Jones, 'New Opposition', p. 321, quite unjustly condemns Realey, *Early Opposition*, p. 82, for ignoring this fact of the opposition group's significance; had Jones bothered to read a few pages further he would have noticed Realey's comment on pp. 84-85: 'it is clear...that the protests were really designed for the information and agitation of the general public'.

the opposition were Jacobites themselves and probably had some input into composing the protest, the barbed nature of its insult was all too obvious. Sunderland grumbled that 'it was an intolerable abuse to wrest any man's words and put false constructions upon them, as had been done in an instance relating to himself'. Consequently, he moved that the entire text of the protest was 'derogatory' to the Lords' honour and therefore should be expunged. This motion's passage was also protested by Orrery and the cabal,<sup>269</sup> which also registered two protests on 20 February on a motion pertaining to the national debt and a motion for restoring public credit.<sup>270</sup>

A few days later Sunderland delivered a fiery speech denouncing the protests' publication in February and moved for restraining the time for entering reasons for protests until no later than 2:00 p.m. on the following day, a tactic which would render the opposition's orchestration of frequent, and in some cases, multiple protests in a single day extremely difficult.<sup>271</sup> It and another motion to expunge the Navy Debt protest of 19 February were themselves protested in acts of defiance,<sup>272</sup> as was a motion on a bill to curtail smuggling on 2 March.<sup>273</sup> Upon resumption of consideration the motion for the new standing order on the presentation of protests was read, provoking fierce opposition from Cowper and Atterbury but still passing on 3 March by 48 votes to 18.<sup>274</sup> On 5 March a motion was passed to expunge the 17 January protest on the Quaker Bill.<sup>275</sup> Two days later Parliament was dissolved, marking the end of a furiously-contested session, the zenith of the activities of Cowper's opposition group, and the beginning of preparations for what many contemporaries viewed as one of the most significant elections in British history.

The dissolution terminated all but the most foolhardy hopes the Jacobites may have entertained for cooperation from Sunderland. Unconvinced of his sincerity and anxious for

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<sup>269</sup>Timberland, iii, 230-32; *PH*, vii, 969; BL, Add. MS 17677 KKK-5, f. 103; BL, Add. MS 47076, ff. 325-26; *Political State*, xxiii, 262-63.

<sup>270</sup>Orrery signed both of these protests as well: Timberland, iii, 233-36; *Protests*, i, 298-300; *LJ*, xxii, 696-98; *Political State*, xxiii, 263-67.

<sup>271</sup>AECP 340, ff. 191-92; Timberland, iii, 239-40; Townend, 'Sunderland', pp. 299-301; Clyde Jones, 'The House of Lords and the Growth of Parliamentary Stability, 1701-42', in Clyde Jones, ed., *Britain in the First Age of Party, 1680-1750: Essays Presented to Geoffrey Holmes* (London: Hambledon Press, 1987), pp. 102-04; Realey, *Early Opposition*, pp. 84-85.

<sup>272</sup>BL, Add. MS 47076, ff. 336-37; Timberland, iii, 236, 238-40; *Protests*, i, 306; *Political State*, xxiii, 268-72. A manuscript copy belonging to Strafford can be found in BL, Add. MS 22263, ff. 71-72.

<sup>273</sup>Timberland, iii, 237-38; *Protests*, i, 300-03.

<sup>274</sup>HLRO, MS Minute Book, (19 Oct. 1721-7 March 1721/22), pp. 337-38; BL, Add. MS 47076, f. 336; *PH*, vii, 974.

<sup>275</sup>*Political State*, xxiii, 273-73.

tangible signs of loyalty, the Pretender had postponed writing to Sunderland for some time. Orrery had repeatedly warned against such correspondence,<sup>276</sup> as he and his master both entertained considerable misgivings about Sunderland throughout his contacts with the Tories and were hardly surprised when his insincerity was confirmed. Orrery relayed explanations proposed for Sunderland's failure to keep his promises, and maintained that the minister should not be entirely disregarded; any animosity and government dissension could only serve to advance the Jacobite prospects.<sup>277</sup> Ironically, for once the Pretender seems to have viewed the situation more realistically than many of his followers. He informed Orrery that he only wished they all were as sceptical as he (Orrery) was, expressing thanks for his 'very judicious' remarks and assuring him 'I Could not make you a better return for the frankness with which you write to me...My Confidence in you is entire'.<sup>278</sup> Regardless of Orrery's warnings for the Pretender not to correspond with Sunderland, it was traditionally thought that when Carteret and Townshend seized Sunderland's papers after his death in April 1722 they found at least one letter from the exiled monarch among them.<sup>279</sup> This account has recently been scrutinised, revealing that Carleton, rather than Townshend, was among those who broke the seals on Sunderland's papers, and that the reported letters were part of a smear campaign launched by Walpole and his supporters.<sup>280</sup> It would be interesting to know if Carleton found any letters mentioning Orrery and supervised their destruction.

A final illustration relating to Sunderland's negotiations demonstrates the sophistication which Orrery and the Tory opposition peers displayed in attempting to re-establish political parity between the Whigs and Tories and, indeed, one of the few examples of any true coordination, between the English and Scottish Tories during George I's reign, can be seen in activities surrounding the election of Scottish peers in early 1722. Coinciding with the opposition's protesting campaign, this election revolved around a

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<sup>276</sup>RA, Stuart Papers 54/77. James III to Orrery, 3 Aug. 1721.

<sup>277</sup>These were often complaints of the intervention of George I's Hanoverian courtiers: RA, Stuart Papers 55/67. Orrery to James III, 28 Oct. 1721; the same letter is partly printed in Mahon, *History of England*, ii, Appendix xvii. For other instances of Orrery's doubts about Sunderland see also RA, Stuart Papers 54/145. Fanny Ogelthorpe to James III, 3 Sept. 1721; *idem*, 57/111. James III to Orrery, 31 Jan. 1722; and RA, Stuart Papers 56/52.

<sup>278</sup>RA, Stuart Papers 56/63. James III to Orrery, 15 Dec. 1721.

<sup>279</sup>Philip Yorke, Earl of Hardwicke, *Walpoliana* (London: n.p., 1781), p. 10; HMC, *Fourteenth Report*, ix, 510; and quoted in *House of Commons, 1715-1754*, i, 108; *cf.* the similar remarks in RA, Stuart Papers 60/26.

<sup>280</sup>Jones, 'Sunderland', pp. 58-66, utilising hitherto ignored eyewitness accounts, makes an extremely persuasive case for this in his discussion of the scrutiny of Sunderland's papers. Dr. Stratford at Oxford called the story about Carleton and Sunderland's papers 'a very dark one': HMC, *Portland*, vii, 324.

struggle between Squadrone candidate, the Earl of Eglintoun, and the Tory, pro-Jacobite nominee, William Gordon, 2nd Earl of Aberdeen. Aberdeen had been nominated to succeed the Marquess of Annandale, who died in 1721. Aberdeen's re-election provoked a bitter dispute between the Argyll, Squadrone and Tory/Jacobite factions as Sunderland unwisely attempted to appease each of them with promises of support.<sup>281</sup> Urquhart's mediation with Sunderland also concerned the election,<sup>282</sup> and there is evidence Sunderland and Aberdeen were to meet with each other for talks as well.<sup>283</sup> By their marshalling of proxies and writing letters of solicitation,<sup>284</sup> Orrery and several English Tory peers were decisive in convincing their Scottish counterparts to vote for Aberdeen in the March 1722 election,<sup>285</sup> despite the best efforts of Sunderland, Argyll, and the Scottish Whigs.<sup>286</sup> After his re-election Aberdeen continued his support of the opposition and voted with Orrery in numerous divisions.<sup>287</sup>

It is appropriate to draw to a close the present discussion of Orrery's Jacobitism and his opposition activities in the midst of preparations for the election of 1722. The opposition group's effectiveness as a political force in the Lords was sorely restricted after Sunderland's measure largely prohibiting the lodging of frequent protests. Moreover, his death in April 1722, perhaps hastened by the physical and emotional strain of months of tense negotiations with the Jacobites, intrigues against the Walpole/Townshend faction, and defence of his ministry against the opposition, brought about critical changes in the Whig

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<sup>281</sup>An extremely interesting projection list is contained in Douglas-Home MS, Box 194, Bundle 2, entitled: 'A Conjecture how the Peers of Scotland may be brought to Vote So as to Carry Such 16 as is desired at Next Election', and dated Edinburgh, 13 July 1721. The present author intends to reproduce it in a forthcoming study of Aberdeen and the Scottish peerage elections of 1721-1722.

<sup>282</sup>*Letters of George Lockhart*, pp. 167-71.

<sup>283</sup>Sunderland attempted to meet with Aberdeen using Urquhart as an intermediary, but in a chance encounter with the Scottish peer in the House of Lords, Sunderland reportedly did 'not enter on the main affair': RA, Stuart Papers 55/52, 57.

<sup>284</sup>SR0, GD45/14/846/3, is a particularly striking letter of 3 March 1722. Signed by Orrery, Foley, Strafford, Lichfield, North & Grey, Guilford, Arran, Uxbridge, Masham, and Bathurst, all peers who joined Orrery in the frequent protests, the letter attempts to rouse Scottish patriotism in an appeal for Aberdeen's nomination. Certain phrases are reminiscent of Orrery's literary style. The letter may have been circulated to all Scottish peers with Tory inclinations, as the Jacobite Duke of Hamilton also received a copy: *Letters of George Lockhart*, p. 176. Cf. *Lockhart Papers*, ii, 66, 80, for his account of motivations for the letter's composition and for James III's endorsement of the Tory lords' activities.

<sup>285</sup>NLS, MS 68, ff. 35-36; *Lockhart Papers*, ii, 81-83, 87-88.

<sup>286</sup>BL, Add. MS 61632, ff. 199-200. Findlater to [Sunderland?], 8 June 1721; cf. also Sunderland's projections lists, *idem*, ff. 207-09; and *Lockhart Papers*, ii, 59. The best account of the bargaining that led to Aberdeen's election is in RA, Stuart Papers 59/49. Lockhart to James III, 23 April 1722; and printed in *Letters of George Lockhart*, pp. 176-78; also see RA, Stuart Papers 58/113.

<sup>287</sup>Caesar's wife remembered Aberdeen's close acquaintance with Orrery, who the Scottish earl described as a 'Sensible, Close Determined Man'; BL, Add. MS 62558, f. 32.

Party's leadership and opened the door for Walpole's unchallenged accession to power. Thus, in a strangely ironic manner, Walpole's biographer may be correct in speculating how Cowper's Jacobite-dominated opposition in essence ensured Walpole's inheritance of control of the Whigs after Sunderland's death, by making that minister hesitant to assert his own dominance and thus less confident than he might have been otherwise.<sup>288</sup> Another less noticed irony is that in their sustained harassment of Sunderland and the subsequent facilitation of Walpole's mastery of the government, the Jacobites unwittingly placed power in the hands of a far more dangerous and more relentless enemy of the Stuart cause.

The events of 1722 and 1723 would confirm this assessment for Orrery in all too painfully vivid terms. His position also underwent a metamorphosis in 1722. Coincident with the negotiations with Sunderland, various schemes and machinations had been undertaken by Orrery and numerous other Jacobites. Some of these were closely intertwined with the circumstances and timing of the 1722 election and must be discussed together. As the next chapter will illustrate, these schemes began to unravel in the wake of Sunderland's death and the election's aftermath. By the summer, Walpole's convoluted portrayal of these schemes became public knowledge and sparked a series of arrests that, at least in a political sense, all but sounded the death knell of English Jacobitism.

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<sup>288</sup>Plumb, *Walpole*, i, 371.

## Chapter 9: Orrery and the Atterbury Plot

Come listen ye Tories & Jacobites now,  
Your plots Mr. Pulteney as plainly will show  
As your friend Mr. Walpole did eight years ago  
Which nobody can deny.

The Report and Appendix are both come to Hand,  
Which would cover (if Spread) half an Acre of Land  
But few folks can read them & none understand  
Which nobody can deny.

With witnesses plenty this plot doth abound  
One that was hang'd and one that was drown'd  
One that was lost and one never found  
Which nobody can deny.

There were some that said much, by Hearsay I mean  
And some that said nothing as Plunkett & Skeen  
But the best of them all is the Dog Harlequin  
Which nobody can deny...

But the Case was the same to the C-----s they said  
Whether Speaking or dumb, both coming or fled  
Whether two legged or four legged, whether living or dead  
Which nobody can deny.

Whether Guilty or Guiltless it Signifies Not  
Though they cannot convince they can punish by Vote  
And who'er disbelieves is one of the Plot  
Which nobody can deny.

Bodl., MS Ballard 29, f. 80. Mr. Westley's 'On the Bishop of Rochester's Plot'.

What I may now call the last project, was certainly founded upon a very narrow bottom...the Bishop of Rochester's conduct [shows] that he gave in to it almost before he had well consider'd the particulars of it, that others were transported with seeing him approve what they had proposed themselves, which approbation, Violence and zeal confirm'd them in the reasonableness of their propositions. RA, Stuart Papers 65/33. James III to Mar, 14 April 1722, N.S.

'We fox hunters know that we do not always find every fox that we crosse upon'. Coxe, *Walpole*, ii, 221. Robert Walpole to Horatio Walpole, 1722.

'any unadvised and rash undertaking...may too probably undo your cause forever. There is a medium after all between too much caution and too great precipitation'. RA, Stuart Papers 61/30. Orrery to James III, 6 July 1722, N.S.

In the summer of 1722 the streets of London seethed with the news of the government's discovery of another Jacobite conspiracy. Rigorous investigations prompted the arrests of Francis Atterbury, Bishop of Rochester, Orrery and several other peers of the realm, and eventually led to the execution of the Norfolk barrister, Christopher Layer, for high treason. Although Orrery was ultimately bailed and released for lack of evidence, he languished in the Tower for nearly six months. His role in what became known as the Atterbury Conspiracy has yet to receive the attention of a serious historical study. Ironically, just as at Christ Church decades earlier, Orrery's reputation was again bound up with that of his

irascible tutor. This time, however, the ramifications were far more dangerous than academic debates about the authenticity of Phalaris and the irreparable consequences proved far more serious for both men. It was perhaps the single most crucial event in Orrery's life. His political career under the Hanoverians was irrevocably tarnished and, consequently, he thereafter actively strove to restore the Stuart Pretender. It is precisely because Orrery's arrest and imprisonment is such a watershed, and since the majority of the extant source material--evidence extracted from the examinations of arrested conspirators--upon which a study of his involvement must necessarily be based, is dubious and extremely problematic, that a critical and detailed analysis is warranted. A primary objective in the analysis which follows will be to examine Orrery's exact degree of complicity in the conspiracy.

## I

The original inspiration for the confused, inter-related schemes which collectively came to be labelled the Atterbury Conspiracy can be traced back to the Jacobites' reaction to the South Sea Crisis and to their earliest negotiations with Sunderland. The surprising turn of events in 1720 rapidly transformed the situation from one of pessimism and inaction to domestic instability and popular discontent. Sunderland's political desperation and his apparent intentions of moderation instilled hope in leading Jacobites in England and temporarily convinced Atterbury not only of the minister's sincerity, but of the auspicious prospects of a restoration attempt. Despite growing evidence to the contrary, other Jacobites remained equally persuaded of Sunderland's sincerity, the more gullible of them expressing remorse at his demise.

Sunderland's support in parliamentary votes and his continued, additional promises evoked a sense of false euphoria and a chimerical success which encouraged Atterbury and other Jacobites to lower their guard temporarily and cast caution to the wind. They urged their exiled sovereign to hasten to England, despite the absence of the foreign troops hitherto seen as an absolute necessity.<sup>1</sup> In an almost ecstatic letter to Rome Atterbury urged that 'the time is now come when with a very little assistance from your friends abroad your way to your friends at home has become safe and easy'.<sup>2</sup> Charles Caesar complained of the

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<sup>1</sup>RA, Stuart Papers 51/132.

<sup>2</sup>RA, Stuart Papers 53/48. Atterbury to James III, 22 April 1721.



country's wretched state and informed the Pretender that his immediate return was the only way to end the 'ferment'.<sup>3</sup> These and similar urgings inspired a group of five eminent plotters traditionally associated with the Atterbury Plot, and including Orrery, Atterbury, Strafford, North & Grey, and Tory officer Sir Henry Goring, to concoct a scheme for an armed uprising to be launched early in the year,<sup>4</sup> with as few as 2,000 men. Goring irritatingly reported that Atterbury thought this number insufficient but that he was 'the only person' that held such views.<sup>5</sup>

The possibility of Sunderland calling an early election and allowing the return of a Tory Parliament, as well as inviting the likes of Orrery, Strafford and other Tory peers to serve in a mixed ministry, cannot have been viewed with any great degree of seriousness, at least not by Orrery. His misgivings about the likelihood of a bargain with Sunderland and their mutual suspicion were probably the main reasons their contacts were limited to the several meetings which transpired. Orrery's position within the Jacobite hierarchy in England might have been affected to some degree by the negotiations and by his attitude towards them, and his consistent scepticism viewed as yet another example of his paranoia and excessive caution. At the same time, his direct role in the talks provided him with an insider's view and surely served to reaffirm his convictions about Sunderland's dishonest intentions,<sup>6</sup> as opposed to other wishful-thinking and over-optimistic Jacobites who desperately wanted to believe the minister was forthright in his professions of future assistance.

When it became clear that Sunderland would not assist the Jacobites, prudence would have dictated caution and a coherent contingency plan. Yet, unlike his usual state of vigilance, Orrery also initially got caught up in this frenzy and must therefore bear guilt for the precipitate rashness which led to the plot. In an uncharacteristically audacious letter he informed the Pretender that the possibility of impending Anglo-Austrian diplomatic friction and the negligible effects of parliamentary steps to alleviate the losses incurred in the South Sea Bubble had convinced him that a 'great advantage' would arise from the situation,

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<sup>3</sup>RA, Stuart Papers 53/79. Caesar to James III, 4 May 1721.

<sup>4</sup>This is the standard narrative of the plot's genesis as described by recent studies of the period: Plumb, *Walpole*, ii, 47; Bennett, *Atterbury*, pp. 238ff.; Fritz, *English Ministers and Jacobitism*, pp. 67-80. Patricia K. Hill, 'The Jacobite Bishop of Rochester' (unpublished Ph.D., University of Georgia, 1969), pp. 109-16; and Cruickshanks, 'Atterbury Plot', pp. 94-98, concur as to the main plotters and include Orrery among them. Cruickshanks insists on Christopher Layer's close involvement as well, which evidence below goes some way toward disproving.

<sup>5</sup>RA, Stuart Papers 52/141. Goring to Ormonde, 20 March 1721.

<sup>6</sup>James III authorised Orrery with 'ample leave to give Sunderland all the encouragement' he thought proper: RA, Stuart Papers 54/77. James III to Orrery, 3 Aug. 1721.

so great that a restoration 'may possibly be brought about by our Selves without foreign assistance'. Because of the 'little dependance there is on any effectual friendship almost of any Prince' Orrery believed the Jacobites should 'take the proper advantage of the present confusion' and consider steps 'chiefly towards serving you by some proper measures within ourselves which our present situation perhaps enables us to take with more probability of Success'.<sup>7</sup> This invitation signified a bold departure that was quite remarkable for 'Jeremiah'.<sup>8</sup> It may have returned to haunt his memory in the months to come.

When Parliament resumed in October 1721 without the fulfilment of Sunderland's promises the English Jacobites began bitterly to realise their mistaken trust. Atterbury was condemned for his carelessness, while others, such as Bathurst, expressed a willingness to defect from the cause. The Pretender himself had remained extremely sceptical of Sunderland's sincerity throughout his contacts with the Tories, and Orrery does not seem to have viewed their fruitless outcome with anything more than self-affirmation. In light of the barrage of protests which the opposition levelled at Sunderland in February 1722, Budgell's claim that Orrery met with Sunderland only a few days before his death must be erroneous.<sup>9</sup> Nevertheless, as Orrery and his fellow conspirators came to understand their situation it was almost too late to take evasive action. Compilation of the canvassing list of politicians to be solicited in the forthcoming election had mixed results.<sup>10</sup> The biggest problem now facing the Jacobites was not so much their misguided faith in Sunderland, nor their ill-defined and poorly funded electoral strategy, but forces they had propelled into motion abroad, where Jacobite agents were busy collecting money for an invasion in the summer of 1722. Arms had been purchased at Hamburg months earlier. Ormonde was to outfit a small flotilla of Spanish ships and land in Bristol, and the Pretender was to be transported to England. Orrery himself had stressed in June 1722 that Irish troops in the French and Spanish service should be utilised in an invasion, regardless of other foreign assistance.<sup>11</sup> In Paris, Lord Lansdowne and Dillon had drawn up elaborate plans for their cohorts across the Channel and these plans continued as late as December 1721, when one Reverend George Kelly, an Irish non-juring clergyman who had been involved in Law's Mississippi Scheme, was dispatched to France.

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<sup>7</sup>RA, Stuart Papers 53/87. Orrery to James III, 6 May 1721; *cf. idem*, 51/53.

<sup>8</sup>See above, Ch. 8, p. 322; and Fritz, *English Ministers and Jacobitism*, pp. 69-70.

<sup>9</sup>Budgell, p. 245.

<sup>10</sup>PRO, SP 35/40/423; and above, Ch. 8, pp. 329, 337-38.

<sup>11</sup>RA, Stuart Papers 60/23; Cruickshanks, 'Atterbury Plot', pp. 92-95.

Momentous events followed, accelerating the chaotic situation toward ultimate disaster for English Jacobitism and for Orrery. Additional advice which should have been received with anathema came from the Duke of Mar. The Pretender was fully aware of Mar's overtures to the British government and his receipt of a Hanoverian pension after 1720,<sup>12</sup> yet, he inexplicably accepted Mar's suggestion to proceed with the invasion in the summer of 1722, during George I's annual sojourn in Hanover. When Atterbury was apprised of Mar's knowledge of the plans he decided the ludicrous scheme entertained scant chance of success and began warning that the plot was hopeless. The situation was further transformed by Sunderland's death on 19 April and the seizure of his papers. The removal of the one perceived ally the Jacobites possessed at court caused consternation among Tories and Whigs alike. Oxford remarked that Sunderland's expiration would 'discompose Some Scheming Politicians'.<sup>13</sup> Carteret, who had also participated in the high-level conferences with Atterbury and other Jacobites, was left particularly isolated, and he and Sunderland's few surviving supporters such as Carleton were forced to yield to Walpole and Townshend's ascendancy.<sup>14</sup> Carteret's reaction in the event of a Jacobite invasion in 1722 cannot be determined, but he seems to have won the trust of some of the English Jacobites and it is possible that he indirectly supported them in 1722. Three years later a government informant named Bonin recollected how Orrery, Strafford and North & Grey had drunk Carteret's health frequently in Bonin's presence. Voicing concerns about arrest by Walpole's messengers, Orrery reportedly calmed Bonin's fears by remarking that Carteret was the Jacobites' chief spy in the government and that he would notify his friends of any impending apprehension.<sup>15</sup> The date of Orrery's supposed remark is not specified, but, if it was made in 1722, it may explain why he and fellow conspirators such as North & Grey were apparently forewarned of their arrest.

Sunderland's death in the midst of the Jacobites' preparations was not the only cause of their second thoughts about urging an invasion in 1722. Realey argued that their optimism was affected more dramatically by the general election's outcome.<sup>16</sup> Jacobites at home and abroad

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<sup>12</sup>RA, Stuart Papers 52/24; *idem*, Bennett, 'Jacobitism and the Rise of Walpole', p. 81.

<sup>13</sup>BL, Add. MS 70203, f. 104. Oxford to Lord Harley, 22 April 1722.

<sup>14</sup>Bennett, *Atterbury*, p. 247. Atterbury later expressed remorse that Carteret, 'a Tory in his heart', was forced to preserve himself by giving in to Walpole: BL, Add. MS 9129, f. 61.

<sup>15</sup>This conversation is described at length in BL, Add. MS 9129, ff. 57-58. Horatio Walpole to Sir Robert Walpole, Paris, 24 March 1725, N.S. Bonin was paid £400 for this information: Coxe, *Walpole*, ii, 284. Bonin's encounter, minus Orrery's reassurances, is also mentioned in Fritz, 'Anti-Jacobite Intelligence', p. 275.

<sup>16</sup>Realey, *Early Opposition*, p. 49.

anxiously watched the political situation and were aware of the election's significance and the Whigs' 'long and devious preparations'.<sup>17</sup> The Pretender confided to a follower in Paris that 'the whole now depends on the resolutions taken in England'.<sup>18</sup> Lord Lansdowne proclaimed that if the Tories (and Jacobites) neglected to contest the election, 'we betray all the Ties of Nature, Religion, and Allegiance; if we lose it, we are lost with it'.<sup>19</sup> Orrery was fully aware of the significance of the election as well and expressed his concerns about it as early as the autumn of 1721. His desires to shape its outcome were doubtless affected by his superior knowledge about prospects of support from Sunderland and they also seem to have caused jealousies and dissension between him and other Jacobites. Orrery was convinced the proposed invasion was ill-timed because it roughly coincided with the election. He viewed this as an unfortunate aspect of the plan, since Tory squires already strapped for funds after the South Sea crisis would find donations to borough candidates difficult enough, without making contributions for a restoration attempt. It is interesting, and surely no coincidence, that Orrery began efforts to persuade the Pretender of this view's validity at the beginning of the parliamentary session in October 1721, the same time that Cowper's primarily Jacobite opposition group met to compile their canvassing list. In a long letter that expounded on Sunderland's failure to 'come into the necessary measures for securing a good Parliament', Orrery expounded his philosophy for a successful restoration: 'The Way we ought to pursue is plain and Obvious, 'tis our business to perplex the administration, to incense the minds of the people against our present governors and by all manner of ways make 'em as odious and as contemptible as possible'. This facet of Orrery's strategy was later achieved with some success in the protesting campaign. Yet Orrery now insisted that real political influence needed to be achieved by securing the return of Tory MPs, which would be difficult without money, because the 'many little venal boroughs' would 'hardly be carried by the inclinations of the people only'.<sup>20</sup> Jacobite agent James Hamilton's similar views echoed Orrery's sentiments and reflected Hamilton's close ties to Orrery. Hamilton believed Walpole and Sunderland would surely 'do all they can to have their perticular friends' returned at the hustings and that the Tories' primary concern should be raising money to oppose them.

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<sup>17</sup>Plumb, *Walpole*, i, 377. For Sunderland's remarkable electoral exertions nationwide to return Whig candidates opposed to Walpole see Townend, 'Sunderland', pp. 302-03.

<sup>18</sup>RA, Stuart Papers 56/69. James III to Lord Lansdowne, 7 Dec. 1721.

<sup>19</sup>See his anonymous pamphlet cited in Chapman, p. 50, n. 52.

<sup>20</sup>RA, Stuart Papers 55/67. Orrery to James III, 28 Oct. 1721.

Hamilton was certain £10,000 'would go further with them [the Tories] than ten times that quantity' for the Whigs, since the people's inclinations were favourable and it was 'the little boroughs that is entirely carried by money'.<sup>21</sup>

By the eve of the election, the reckless invitations of the spring of 1721 were increasingly viewed with regret by some, who admitted the futility of an invasion attempt without sufficient money and forces in England. A recent study calculated that only half of a designated sum of £100,000 had been raised, leading the Pretender to hesitate in issuing the final orders to proceed.<sup>22</sup> Orrery's own wariness led him to sound the alarm against proceeding with the invasion plans. His military experience and his firm conviction of the feasibility of greater political power by affecting the election's outcome through his own alternative solution, using money to ensure the return of Tory MPs, caused him to fall further afoul of his colleagues. Lords Gower and Bathurst seem to have agreed with him and Bathurst intimated that he was abandoning the cause.

Such disputes and rivalries again fractured the English Jacobites' upper hierarchy and seem to have partially alienated Orrery. His admonitions to bring the 'conspiracy' to a halt were to no avail, yet his efforts to raise money continued throughout the summer of 1722 and probably comprised the bulk of the treasonable activities which could have been proven against him in 1723 had he gone to trial. Whether for arms or votes, the Jacobites were frustrated by a severe shortage of money during and after the election.<sup>23</sup> It is difficult to trace the fundraising activity Orrery undertook before March 1722 precisely for the election, but there is a possibility that he was associated with fledgling efforts to affect voter opinion in another manner. The early months of 1722 saw the appearance of a new pro-Jacobite newspaper, *The Freeholder's Journal*, which was conceived solely to influence the election of 1722.<sup>24</sup> After the election, the paper attacked the ministry in ever bolder terms throughout the spring and summer, making 'veiled Jacobite statements', allusions to General Monck and urging Britons to resist the Whig tyranny, and generally applying Country ideological arguments in a sustained support of Jacobitism.<sup>25</sup> It was also one of the first papers to

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<sup>21</sup>RA, Stuart Papers 55/152. James Hamilton to James III, Rotterdam, 27 Nov. 1721.

<sup>22</sup>Cruickshanks, 'Atterbury Plot', p. 95.

<sup>23</sup>In December 1721 the Pretender described his applications for foreign aid: 'as constant as it has been fruitless', adding that enquiries were being conducted for pawning the Stuart jewels: RA, Stuart Papers 56/63. James III to Orrery, Rome, 15 Dec. 1721; *idem*, 56/67.

<sup>24</sup>For Jacobite efforts in the 1722 election see Foord, pp. 88-89.

<sup>25</sup>One of its first issues supported the candidacies of both Radical whig Robert Molesworth as well as the Tory Archibald Hutcheson for seats at Westminster: Chapman, p. 243.

print Lords protests,<sup>26</sup> and lists of how MPs and peers voted.<sup>27</sup> The paper's success was shortlived, however, due to government persecution.<sup>28</sup> During the investigation into the Atterbury Conspiracy, most anti-government writers and printers found themselves imprisoned at some point and, by May 1723, *The Freeholder's Journal* had folded. Walpole's persecution of it and similar papers effectively enabled him to depict the Tories in his own negative terms. Moreover, the Jacobites' negligence in the employment of journalists for propaganda purposes highlighted their failure to capitalise on sympathetic popular opinion.<sup>29</sup>

It must be pointed out that there is virtually no direct evidence to link Orrery to *The Freeholder's Journal*, either in terms of literary contributions or patronage, but several figures associated with the paper would likely have had some contacts with him. One of these was Archibald Hutcheson. A Tory MP who also had negotiated with Sunderland,<sup>30</sup> Hutcheson was defeated as a candidate for Westminster in the election of 1722, and contributed to at least one issue of the *The Freeholder's Journal* to support his candidacy.<sup>31</sup> Hutcheson, who was Ormonde's financial agent, also later flirted with Jacobitism and was involved in a mortgage with Orrery.<sup>32</sup> It is possible that Budgell composed for the paper, but he does not seem to have been connected with Orrery at this early date.<sup>33</sup> Another link is suggested by Philip Neynoe, an Irish Jacobite cleric turned-informant who was examined during the investigation into the Atterbury Plot. Neynoe's testimony will be examined at length later. It can be said here that he was introduced to Orrery by the latter's clerk, Simon Swordfeger, and Neynoe may have consulted Orrery's massive library to assist in composition of an article for *The*

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<sup>26</sup>*A Collection of Political Essays and Letters in the Freeholder's Journal, Revised and Corrected by the Author* (London: for T. Payne, 1722). Despite his misidentification of the paper, Jones, 'New Opposition', p. 324, discusses its publication of the collected protests. Cf. his 'Jacobitism and the Historian', p. 689, n. 32.

<sup>27</sup>The paper's ideology and content are discussed in Chapman, pp. 14, 50-51, 140, 233-70.

<sup>28</sup>Its publisher, Thomas Payne, was arrested and twice imprisoned in Newgate in 1722. The issues of 25 April, 2, 23, and 30 May, and 12 September sparked arrests: Targett, 'Walpole's Newspapers', p. 37. For an informant's report of an issue being read in March 1722 and 'reflecting' on the ministry see PRO, SP 35/30/65.

<sup>29</sup>Chapman, pp. 2, 50-51.

<sup>30</sup>Hutcheson was apparently duped by Sunderland along with many Jacobites. His correspondence with Sunderland is scattered throughout: BL, Add. MS 61496, ff. 40-75; and some of his letters were printed in: *Copies of Some Letters from Mr. Hutcheson, to the Late Earl of Sunderland*, 2nd. ed. (London: for T. Payne, 1722); cf. Townend, 'Sunderland', p. 297.

<sup>31</sup>Rogers, *Whigs and Cities*, pp. 13, 41-43.

<sup>32</sup>Chapman, p. 245; and below, Ch. 11, p. 507.

<sup>33</sup>Described recently as a 'seasoned coffee house politician', Budgell was identified as the author of an anti-Walpole satire in 1732, the year after Orrery's death: Targett, 'Walpole's Newspapers', p. 207.

*Freeholder's Journal*.<sup>34</sup> Neynoe claimed he was instructed to condemn Walpole and Townshend in his articles but to refrain from censuring Carteret, Sunderland and Orrery's cousin, Lord Carleton.<sup>35</sup> As has been suggested recently, Neynoe may well have served as a liason between opposition peers and the press,<sup>36</sup> which his visit to Orrery's house implies. Furthermore, since the paper published collections of Lords protests at the end of parliamentary sessions, the possibility of Orrery's ties would be further enhanced if he indeed engaged in protest composition during 1721-1722 as has been speculated above in Chapter 8.

Following the 1722 election Orrery's best arguments for postponing the invasion which lacked an invading army were deplored, and failed to appeal to more heated spirits. His pleas were apparently overruled by the recently appointed commander-in-chief for London and Westminster, North & Grey, his counterpart for the North, Strafford, and Arran; all of whom believed Ormonde's presence would prove sufficient to rouse the masses.<sup>37</sup> Despite recent claims to the contrary,<sup>38</sup> however, Orrery does seem to have had extensive knowledge about the Jacobites' principal scheme which was postponed to occur in mid-1722. While it was true that he may have reversed himself and exhibited increasing reservations about the scheme's feasibility, his reluctant acquiescence and knowledge of the ongoing plans are suggested on several occasions. For example, in March 1722, Orrery was commissioned one of the Lords Regent for the Pretender's restoration.<sup>39</sup> At the same time, the Pretender informed Orrery that he would receive details of the current plans from other friends in England. Convinced of the inevitable success of the plans then underway, the exiled sovereign assured Orrery that 'the experience you formerly gained in Flanders will render you yet usefull on this occasion'.<sup>40</sup> Since the negotiations with Sunderland were discontinued by this time, the allusion can only have been a reference to Orrery's military experience, therefore suggesting he was to command troops in the invasion or the subsequent uprising. This inference is further confirmed with additional evidence. In early 1722 James III was considering replacing Atterbury with Oxford as the director of his affairs in England in order to minimise the

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<sup>34</sup>*Report*, App. B35, p. 178.

<sup>35</sup>BL, Add. MS 34713, f. 44v; RA, Stuart Papers 100/45; Chapman, p. 14; Fritz, *English Ministers and Jacobitism*, p. 88; Thomas Carte also wrote for the paper.

<sup>36</sup>Jones, 'New Opposition', p. 324.

<sup>37</sup>RA, Stuart Papers 57/6; Strafford was also to receive a dukedom; Cruickshanks, 'Atterbury Plot', p. 95.

<sup>38</sup>Jones, 'Jacobitism and the Historian', p. 688.

<sup>39</sup>His commission was endorsed 26 March 1722: *Jacobite Peerage*, p. 248.

<sup>40</sup>RA, Stuart Papers 58/124. James III to Orrery, Rome, 31 March 1722.

rivalries and ambiguous delegation of authority which crippled restoration efforts. The Pretender also appointed seven Commanders-in-Chief to preside over various parts of England.<sup>41</sup> It may be that Orrery, a former Lord Lieutenant of Somerset, was a potential candidate for commander in the West Country, for he requested a Lieutenant General's commission from Rome in the summer of 1722.<sup>42</sup> Whatever the case, if Orrery was a minor figure unaware of the rescheduled attempt set for the summer of 1722, it seems unlikely he would have requested a commission at all.

## II

A few days after the seizure of Sunderland's papers Dubois dispatched an urgent warning to London via Schaub, the British envoy, detailing preparations for Irish troops to embark from Brittany. The Cabinet issued orders for the Post Office henceforth to open all correspondence from France, and on 22 April the Foot Guards encamped in Hyde Park. The same evening three letters Atterbury had dictated to Kelly, which the latter had for some mysterious reason sent through the ordinary post, were intercepted. Walpole and Townshend met with Carteret on 25 April and resolved that Schaub was to inform the French government of the conspiracy and to assist a special envoy who would journey to Paris to solicit more detailed intelligence and buy off any Jacobites who could be persuaded to defect. Jacobites in Britain watched events with the greatest anxiety throughout the summer. Many leading conspirators cowered in their country estates for fear of arrest. Then some incriminating correspondence from France from someone using the cant name 'Rogers' was intercepted.<sup>43</sup> These letters were the sort Walpole yearned for, since they supplied references to a rebellion which was to be launched in the autumn, and discussions with French and Spanish envoys who promised support. One letter reportedly outlined a plan to assassinate George I and to capture the Prince of Wales.<sup>44</sup>

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<sup>41</sup>RA, Stuart Papers 59/3. James III to Lansdowne, Rome, 13 April 1722.

<sup>42</sup>Orrery also requested a brigadier's commission for one of his friends, probably either William Cecil or Multon Lambarde of Sevenoaks. The commissions, dated 14 July, were in Orrery's possession on 17 Sept.: RA, Stuart Papers 47/35: *idem*, 49/4. Orrery to James III, [Brittwell], 17 Sept. 1722; *Jacobite Peerage*, p. 245.

<sup>43</sup>BL, Add. MS 38537, ff. 488-91; BL, Add. MS 22517, f. 145.

<sup>44</sup>Cruikshanks, 'Atterbury Plot', p. 99, insists the Commons *Report's* evidence fails to support the existence of an assassination plan, but there were rumours of such a plan; one involved the use of poison: BL, Add. MS 32686, f. 237; and BL, Add. MS 35837, f. 504. For the disquiet Orrery and James Hamilton expressed over such a prospect, see RA, Stuart Papers 60/137. James Hamilton to James III, 8 July 1722; and *cf.* RA, Stuart Papers 59/71.



'Rogers' was determined to be the alias of one John Plunkett, an Irish priest who was writing on behalf of a young Norfolk barrister and sometime employee of North & Grey named Christopher Layer. Layer was to become a Jacobite martyr. It was around him that Walpole shrewdly built his case against the Jacobites and ensured his own political supremacy in Britain. The exact nature of Layer's role in the Atterbury Plot remains the subject of debate and confusion.<sup>45</sup> In the spring of 1721 Layer and Plunkett had departed from Antwerp en route to Rome. There is some question as to whether the trip had any prior authorisation. George Kelly implied that the pair had no associations with North & Grey or Strafford and had been dispatched to Rome by 'Dr. Friend & his Clubb',<sup>46</sup> supposedly referring to Orrery's fellow Oxonian, Dr. John Friend. Regardless of their sponsors, Layer and Plunkett took it upon themselves to confer with Dillon in Paris and then journeyed on to Rome where they met the Pretender. By early September 1721 both had returned to England. Their activities thereafter would closely involve Orrery and will be discussed at length below.

For his own part, after Parliament's dissolution and the depressing election returns were in, Orrery retired in early May 1722 to Brittwell, his country house in Buckinghamshire. Despite growing tension over arrests of suspected conspirators, he did not cower in his estate. He was back in London by 3 July 1722.<sup>47</sup> Thereafter, as was customary, he planned to return to Brittwell for about a month.<sup>48</sup> This was a particularly dangerous period for the Jacobite leaders as Walpole's messengers began to make their arrests, and Goring's successful escape prompted the apprehension of Atterbury on 24 August.<sup>49</sup> Orrery seems to have remained in close contact with Atterbury during this critical period, but the existing evidence presents a contradictory and somewhat confusing picture of both their relationship as well as Orrery's position in the Jacobite hierarchy at the time the conspiracy collapsed. Both men appear to have destroyed nearly all of their incriminating correspondence,<sup>50</sup> so there is

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<sup>45</sup>Hatton, *George I*, p. 257, mistakenly refers to him as Atterbury's secretary. The most exhaustive and recent study of Layer's career is by Cruickshanks, 'Atterbury Plot', pp. 93-103. A less favourable assessment is found in Fritz, *English Ministers and Jacobitism*, pp. 71ff. For a negatively-biased pro-government, contemporary account see: *A Faithful Account of the Life of Christopher Layer, Esquire, Barrister at Law, From his Birth to his Execution for High Treason* (London: A. Moore, 1723).

<sup>46</sup>RA, Stuart Papers 59/14. Kelly to Mar, 16 April 1722.

<sup>47</sup>RA, Stuart Papers 47/35, 59/126 and 60/107.

<sup>48</sup>RA, Stuart Papers 61/30.

<sup>49</sup>For Atterbury's arrest see PRO, SP 35/32/145; cf. HMC, *Portland*, vii, 332; and Bennett, *Atterbury*, pp. 256-57.

<sup>50</sup>This is certainly so in Orrery's case, as he later informed the Pretender: RA, Stuart Papers 68/27. Orrery to James III, 31 July 1723.

little upon which to base an assessment. A brief, discernibly apprehensive letter written to Orrery less than a week before Atterbury's arrest indicates that Orrery had invited him to Brittwell, but the bishop's gout had made this impossible. Instead, Atterbury requested a meeting as soon as Orrery returned to London.<sup>51</sup>

Orrery's secrecy and caution was apparently successful in giving mutual acquaintances the impression that he and Atterbury were not on such friendly terms. Upon Orrery's arrest a month after Atterbury's, Dr. Stratford at Oxford was moved to remark: 'I am much concerned for my old friend Lord Orrery...I should not have suspected him for these affairs. I daresay he has had nothing to do with Ruffe [Atterbury] though he was his tutor. There has been nothing but a mere civil correspondence betwixt them for some years.'<sup>52</sup> Atterbury understandably attempted to project the notion of detachment from Orrery at his defence proceedings in the Lords, protesting that he had not seen Orrery on 'business' in years, their only contact being an occasional dinner together.<sup>53</sup> Less biased evidence, however, largely refutes Atterbury's claims and further underscores Orrery's prominence among the Jacobites in the summer of 1722. A June 1722 letter from Rome confirms that Orrery's money-raising activities were conducted with Atterbury's assistance.<sup>54</sup> Even more revealing is Orrery's letter from a month later which reported on the status of his fundraising efforts, then somewhat stalled because of the absence of most people of quality from London. This fact and the insufficient amount of funds raised led Orrery to urge that the Jacobites were in no 'condition to make a probable attempt'. Then Orrery proceeded to analyse a problem confronting the Jacobites: the jealousy, indiscretion and lack of cooperation among many of his fellows. Since Orrery was convinced he was well acquainted with 'the qualifications, talents and views of all those of any consideration that espouse your interest and live personally well I think with 'em all', Orrery believed he should be authorised to conceal his own plans from those he deemed unfit for exposure to sensitive knowledge. Furthermore, his comments were prompted by remarks the Pretender had made about Atterbury, to which Orrery responded:

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<sup>51</sup>BL, Stowe MS 750, f. 409. Atterbury to Orrery, 18 Aug. 1722. In the spring Atterbury had written to Orrery and enclosed some letters written by the deceased Lady Mary Orrery, the 4th Earl's mother, that the cleric had found in some papers: OPH, MS Eng. 218.2, i, 6-7. Atterbury to Orrery, Bromley, 4 May 1722.

<sup>52</sup>HMC, *Portland*, vii, 335. Stratford to Lord Harley, 5 Oct. 1722.

<sup>53</sup>BL, Add. MS 34713, f. 81.

<sup>54</sup>RA, Stuart Papers 60/13. James III to Dillon, 8 June 1722, N.S.; cf. *idem*, 59/15. James III to Atterbury, 16 April 1722, N.S.

with great freedom upon this subject to what you have mention'd to me about Mr Otway [Atterbury] for whom I always have profess'd a personal regard having been bred up under him, and liv'd in constant friendship with him and...talk'd pretty openly with him upon the subject of your affairs and shall continue to do so, but 'tis fit I shou'd acquaint you at the same time, that many of your friends are utter enemies to him and have been so shock'd with many parts of his behaviour that I doubt it will be very difficult ever to make a reconciliation between 'em. I know this is a great prejudice to your affairs and incapacitates Mr Otway from being able to do you all the service he might, and upon that account as well as upon Mr Otway's own I am very much concern'd to find so great a prejudice against him in the minds of Several of your friends.<sup>55</sup>

These comments prove that Orrery was hardly isolated from the fractious Jacobite inner circle under his tutor's auspices. Orrery's fraternisation with and personal criticism of members of this quarrelsome group, as well as his opposition to their ill-conceived scheme of 1721, are further illuminated by comments he made several months earlier:

most of those forward people of whose characters as well as designs I dare say Sir you now think I gave you a pretty true account not long ago of are convinced themselves that their Scheme had not a Solid foundation, for severall of 'em have now been with me & blam'd the indiscretion of each other and I am much affraid upon all occasions your affairs will go near to Suffer almost as much from the imprudence of your friends as from the watchfullness or malice of your Enemies.<sup>56</sup>

Orrery's suggestions to wait for 'projects with a better foundation' did not save him from the government's messengers.<sup>57</sup> It is not entirely clear whether or not he anticipated his arrest. The last surviving letter he wrote to the Pretender before this occurred dates from 17 September. In it Orrery reported that he had been mentioned in prisoners' testimony but he remained confident that the government had 'nothing material' which would implicate him and that many of the arrests and allegations resulted from people who were 'too apt to talk freely in promiscuous company'.<sup>58</sup> Orrery apparently grew less self-assured as the investigations continued, for the Pretender described a letter (untraced) he received from Orrery 'a few days before he was taken up' that indicated 'that accident will have been no Surprise to him'.<sup>59</sup> Orders for Orrery's apprehension and arrest were contained in a warrant issued by Carteret on 26 September. It specified that Orrery was to be seized and brought

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<sup>55</sup>RA, Stuart Papers 60/130. Orrery to James III, 6 July 1722, N.S. Strafford wrote a few months earlier that Atterbury was 'so full of his own abilities that if he can't have things go his own way, he will reather (sic) they did not go on at all': *idem*, 59/118. Strafford to James III, London, 18 May 1722.

<sup>56</sup>RA, Stuart Papers 47/35. Orrery to James III, 31 May 1722.

<sup>57</sup>RA, Stuart Papers 47/35.

<sup>58</sup>RA, Stuart Papers 49/4. Orrery to James III, 17 Sept. 1722. This letter is entirely in numerical cipher and over 14 pages long.

<sup>59</sup>RA, Stuart Papers 62/162. James III to Dillon, 7 Nov. 1722.

into custody 'together with his papers' at the earliest convenience,<sup>60</sup> and on the same day as their issuance Orrery's London house was thoroughly searched.<sup>61</sup> Orrery was apprehended at Brittwell on the 27th where, despite protests, his house was ransacked and searched and his private papers seized, even to the point of forcing open his sealed will.<sup>62</sup> Arriving in London the same evening, at 8:00 p.m. he was immediately taken to the Cockpit and examined by a 'very Numerous' gathering of the Privy Council. Following a 'Strict Examination' of 90 minutes,<sup>63</sup> he was escorted back to his lodging in Glasshouse Street, Piccadilly and placed under house arrest 'under a Guard of Thirty Soldiers' commanded by a Colonel Otway.<sup>64</sup> The following evening Orrery underwent another examination,<sup>65</sup> which concluded with his commitment to the Tower on the charge of High Treason between 10:00 and 11:00 p.m.<sup>66</sup> Orrery now embarked upon an agonising and embarrassing ordeal that effectively tainted his subsequent political career permanently, and the rigours of his prolonged confinement would very nearly cost him his life.

Reactions to his arrest and examinations were varied. No records of Orrery's examinations appear to have survived, but it is not difficult to surmise the questions which were put to him. One observer recalled that the examination was conducted by 'a very full cabinet council', during which Orrery had 'not behaved himself with any extraordinary resolution'.<sup>67</sup> Swift voiced surprise upon learning that his 'brother Orrery' risked betrayal of his country for what Swift described as 'revolution principles'.<sup>68</sup> Orrery's intimate friend James Hamilton provided further information. Throughout 1721-1722 and until 1726, all

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<sup>60</sup>See the warrant in PRO, SP 44/80/119v; *Memoirs of Atterbury*, i, p. 386, wrongly states that the Privy Council issued orders for Orrery's arrest on 22 September.

<sup>61</sup>Budgell, p. 217; Herts. RO, Panshanger MS D/EP F54, f. 34. Frances L. to Mr. Sydenham. n.d.

<sup>62</sup>PRO, SP 35/47/77; BL, Add. MS 70383, f. 110. Oxford to Edward Harley, 27 Sept. 1722, London; BL, Add. MS 17677 KKK-5, f. 356; Budgell, p. 217.

<sup>63</sup>BL, Add. MS 47077, f. 171; BL, Add. MS 17677 KKK-5, ff. 357-58.

<sup>64</sup>Boyer, *Political State*, xxiv, 313-14; John Doran, *London in the Jacobite Times* (2 vols., London: Richard Bentley & Son, 1877), i, 368, also identifies the location of Orrery's house and the circumstances of his detention.

<sup>65</sup>Boyer, *Political State*, xxxiv, 363.

<sup>66</sup>PRO, SP 44/80/120; Boyer, *Political State*, xxiv, 313-14; Budgell, pp. 217-18; PRO, WO 94/3/167-68; PRO, WO 94/6/22; PRO, *Thirtieth Report of the Deputy Keeper of the Public Records, Appendix, Pt. ix, Index to the Tower Records* (London: H.M.S.O., 1853), p. 333; HMC, *Carlisle*, p. 43; Adam Williamson, 'The Official Diary of Lieutenant General Adam Williamson: Deputy Lieutenant of the Tower of London, 1722-1747', J.C. Fox, ed., *Camden Society*, 3rd Series, xxii (London: Royal Historical Society, 1912), pp. 34-35; and BL, Add. MS 57344, f. 2.

<sup>67</sup>HMC, *Fourteenth Report*, ix, 234. Henry Pelham to [Francis Hare], [misdated] 22 Sept. 1722.

<sup>68</sup>*Swift Corr.*, ii, 435, alluding to their membership in St. John's Brothers Society in 1711-1712.

correspondence to and from Orrery and Charles Caesar between Rome and England passed through Hamilton's hands.<sup>69</sup> After government agents were notified he was Orrery's 'sole confidant', perhaps by Orrery's own clerk,<sup>70</sup> Hamilton was forced to flee and went into hiding. With the aid of Oxford's mistress, he was ultimately successful in reaching sanctuary in Lorraine.<sup>71</sup> Hamilton informed the Pretender that 'What they accuse the E. of Orrery of I cannot learn, nor had they any thing Sattisfactory from his Ldp at his examination, but it was said, that they apprehended more from his Ldp understanding, then (sic) from anything they could prove against his Ldp'.<sup>72</sup>

Orrery's confinement was to be a prolonged ordeal. On 17 October in the Lords Carteret announced Orrery's and North & Grey's detention,<sup>73</sup> and requested it be prolonged indefinitely following a suspension of Habeas Corpus voted a week earlier after several days of debates which raged in the Commons.<sup>74</sup> Similar outcries in the Lords were followed by a protest which was signed by most of the Cabal.<sup>75</sup> Consequently, Orrery endured a confinement which lasted for almost six months. Initially he was permitted to have a few servants attend him. His teenage son begged permission to be imprisoned with him but this was refused.<sup>76</sup> In February 1723, after over four months of confinement, Townshend granted him liberty of the Tower, provided he remained under close guard and was not allowed to communicate with anyone.<sup>77</sup> By the final weeks of his incarceration he was emaciated and desperately ill.<sup>78</sup> Orrery repeatedly petitioned George I for permission to retire to Britwell under house arrest so he could have the 'benefit of air and Exercise' and preserve his health, but his entreaties were

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<sup>69</sup>RA, Stuart Papers 55/94, 58/57 and 59/73.

<sup>70</sup>See below, pp. 380-81.

<sup>71</sup>RA, Stuart Papers 64/126; *idem*, 66/12.

<sup>72</sup>RA, Stuart Papers 62/157. James Hamilton to James III, Rotterdam, 5 Nov. 1722, N.S.

<sup>73</sup>See HLRO, MS Minute Book, (9 Oct. 1722-10 Dec. 1723), [no pagination], 17 Oct. 1722, for Carteret's signification of just cause; Timberland, iii, 245-49.

<sup>74</sup>Prominent Jacobite MPs Joseph Jekyll and William Shippen argued vigorously, but in vain, against the ministry's motion: BL, Add. MS 47029, ff. 135-36; BL, Add. MS 70383, f. 119. Oxford to Lord Harley, 16 Oct. 1722; HMC, *Various*, viii, 347; A.N. Newman, ed., 'The Parliamentary Diary of Sir Edward Knatchbull, 1722-30', *Camden Society*, 3rd ser., xciv (London: Royal Historical Society, 1963), 3.

<sup>75</sup>*Protests*, i, 309-10. Anglesey, Coningsby and Cowper, and the Archbishop of York gave long speeches against the measure. For Cowper's draft speech, dated 24 Oct. 1722, see Herts. RO, Panshanger MS D/EP F182, ff. 114-15; Bodl., MS Rawlinson C-151, ff. 1-3.

<sup>76</sup>Budgell, p. 219.

<sup>77</sup>PRO, SP 44/80/120; PRO, WO 94/3/168-69; BL, Add. MS 57344, f. 36.

<sup>78</sup>Budgell, p. 219, records that Orrery had endured a lengthy illness 'some Years before' and spent a prolonged period at Bath, so weak he was carried from room to room in a servant's arms.

refused.<sup>79</sup> Numerous medical examinations of him were conducted by Sir Hans Sloane and several other eminent physicians.<sup>80</sup> Their grim diagnosis and the representations of family members were instrumental in saving Orrery's life.<sup>81</sup> On Christmas Eve 1722 it was reported that Argyll and Burlington had each consented to recognizances of £50,000 for Orrery, along with another £100,000 put up by Orrery himself. This substantial amount appears to have been impossible to raise.<sup>82</sup> Finally, on Thursday evening, 14 March 1723, most likely at Carleton's insistence,<sup>83</sup> Orrery was released on £50,000 bail, putting up £30,000 himself along with an additional sum of £20,000 given by his kinsmen, Lords Carleton and Burlington.<sup>84</sup> Led out of prison by two servants, Orrery reportedly remained weak and near death. He was temporarily placed under house arrest at his London home under the custody of two officers.<sup>85</sup> After recovering his strength, Orrery was allowed to retire to Brittwell as he had requested.<sup>86</sup>

### III

In order to determine Orrery's complicity in what became known as the Atterbury Conspiracy, it is essential to focus attention on two areas. One is direct evidence illuminating his activities in the months preceding his arrest. The other area concerns the less reliable ministerial interrogations of witnesses--some conspirators, and others, defectors--from the Jacobite cause. Since the publication of the House of Commons *Report* in April 1723,<sup>87</sup> the

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<sup>79</sup>PRO, SP 35/40/34; also PRO, SP 35/41/107. Orrery to Delafaye, 29 Jan. 1723.

<sup>80</sup>Orrery reportedly suffered from weakness and trembling of the legs, loss of appetite, and fainting spells, and he took frequent doses of laudanum. For the reports of Sloane and others upon their examinations see BL, Add. MS 3984, ff. 99-100; PRO, SP 35/41/107, 146, 215, 246.

<sup>81</sup>BL, Add. MS 17677 KKK-5, ff. 432, 490; BL, Add. MS 57344, f. 36.

<sup>82</sup>Bodl., MS Rawlinson C-151, f. 39; BL, Add. MS 47077, ff. 243-44, 258. Lansdowne relayed rumours that Orrery and Atterbury were both to be bailed: RA, Stuart Papers 64/145. Lansdowne to James III, Paris, 11 Jan. 1723, N.S.

<sup>83</sup>A newsletter reported a 'Numerous Meeting of ye Lords at Secretary Carteret's office' on the afternoon of the 19th: BL, Add. MS 47077, f. 313. As Lord President, Carleton would have presided over this meeting.

<sup>84</sup>BL, Add. MS 57344, f. 18; Boyer, *Political State*, xxv, 343; Budgell, p. 222, gives the figures as £20,000 each; while BL, Add. MS 47077, f. 313, puts them at £10,000 each and £20,000 by Orrery.

<sup>85</sup>BL, Add. MS 62558, f. 15; Budgell, pp. 222-23.

<sup>86</sup>Something of the atmosphere under which Orrery was incarcerated can be gleaned from a letter written by his captors' commander: 'his Lordship has desired his friends not to come near him, his health seems as yet very bad. He takes opium every night, if it should put him to sleep for good, I hope all the King's Enemys will take the same measure': PRO, SP 35/42/49b. Col. Charles Otway to [Townshend?], Burnham, 19 March 1723.

<sup>87</sup>See *Report*; for other accounts and testimony from interrogations see also the contemporary edition: *A Report from the Committee Appointed by Order of the House of Commons to Examine*

testimony the government's investigation compiled has provided historians with one of their principal sources concerning the conspiracy. Nevertheless, this evidence was generally obtained under duress. Other portions were fabricated after the arrest of several main participants and then contrived to suit Walpole's political ends. Walpole's evidence indicting Orrery consisted primarily of guilt by association with two key figures, Layer and John Plunkett, and the unreliable testimony of Philip Neynoe. Ironically, for quite different reasons, neither Layer nor Neynoe was able to save himself and, despite their revelations, both succumbed as a result of the ministry's investigation. It cannot be overemphasised that the testimony given in nearly all of these cases resulted from interrogation based on intimidation by men in the utmost fear for their lives. Neynoe and lesser plotters Matthew Plunkett, an Irish army sergeant, and another informer, John Semple, were shiftless, itinerant, often impoverished, and eager to sell fabrications and exaggerations. Neynoe was grossly deceived by Walpole and probably brutalised by his henchmen, yet he somewhat admirably remained sufficiently resolute not to commit himself to paper. Historians utilising testimony from such sources are obliged to subject it to scrutiny far surpassing that which it encountered in 1722-1723.

Layer's elaborate scheme for capturing the Tower and the City of London was outlined in documents confiscated soon after his arrest on 18 September 1722. The 'Scheme' included a detailed list of supporters in every county in England and Wales who were imagined only too willing to rise upon receiving the appropriate commands.<sup>88</sup> Questions have persisted about whether Layer's stratagem for a Jacobite restoration attempt and the one planned by Goring, Strafford, North & Grey and begrudgingly agreed to by Atterbury, were one and the same. Uncertainty about Orrery's role is another component of this problem. A careful analysis of Layer's testimony, however, as well as the Pretender's own comments, suggests that if there were not, in fact, different and separate conspiracies, then there were at least variations or improvisations to the main plot for which Layer paid the ultimate price. Since most of the

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*Christopher Layer, and Others; into Whom Several Papers and Examinations Laid before the House, Relating to the Conspiracy... Were Referred*, Reported by the Rt. Hon. William Pulteney, Esq., (London: n.p., 1723); and the Lords' version, F. William Torrington, ed., *The House of Lords Sessional Papers, 1718/19-1724/25* (Dobbs Ferry, New York: Oceana Publications, 1978). Atterbury and Layer's trials are contained in T.B. Howell, comp., *A Complete Collection of State Trials and Proceedings for High Treason and Other Crimes and Misdemeanors from the Earliest Period to the Present Time* (21 vols., London: Hansard, 1803-30), xvi, 94-696; Cruickshanks, 'Atterbury Plot', pp. 92-106; and Fritz, *English Ministers and Jacobitism*, pp. 68-80, provide recent discussions.

<sup>88</sup>Layer's Scheme is printed in *Report*, App. B20, pp. 152-54.

incriminating evidence against Orrery derived from his links with Layer, it is instructive, in order to understand Walpole's coercion, to establish some standard of credibility and consistency in Layer's testimony and, especially to gain insights into Orrery's activities, to examine each interrogation for the recurrence of certain information.

Layer's incarceration lasted from 18 September 1722 until his execution on 17 May 1723. During this period he was examined 11 separate times. Four examinations occurred before his trial commenced on 21 November, and were subsequently published in the *Report* read aloud in the Commons on 1 March 1723.<sup>89</sup> Layer was also granted a total of seven last-minute reprieves, and the remaining interrogations followed each respective reprieve in hopes that he would turn King's evidence rather than succumb to a traitor's violent death.<sup>90</sup> His first two examinations were held on 19 September 1722. In the first examination Layer revealed that he had seen Orrery twice in early September of the same year and had 'had some discourses with him concerning the Pretender'. During the second examination Orrery's name was not broached.<sup>91</sup> Two subsequent examinations on 21 September and 1 October were held before a Committee of the Lords of Council which included recent court convert, Harcourt, and Carteret among those in attendance. These examinations divulged the most damaging allegations about Orrery which were unearthed during the investigation. Layer dated his acquaintance with Orrery as having commenced in the autumn of 1721 when, after returning from Rome, Layer had been introduced to Orrery by one Aaron Thompson, whom Layer assumed was the chaplain to the Duchess of Ormonde, wife of the Jacobite's exiled principal military commander.<sup>92</sup>

The occasion of the meeting was to arrange suitable proxy godparents for the christening of Layer's infant daughter, named Maria Clementina after James III's wife. Layer always insisted that his earliest encounters with Orrery were occasioned by arrangements for the christening. If any incident concerning Orrery and Layer related in the Commons *Report* is accurate, it is this one, for it is repeated by Layer himself, other examinants, and by numerous witnesses at Layer's trial.<sup>93</sup> Layer's daughter was to have no ordinary godparents, for his wish was that none other than King James III and Queen Clementina serve as godparents

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<sup>89</sup>*Report*, App. B8-11.

<sup>90</sup>(Twice) on 19 Sept.; 21 Sept.; 1 Oct.; and on 19 Jan. and 4 Feb. 1723: PRO, SP 44/361/152-55.

<sup>91</sup>*Report*, App. B8, p. 137.

<sup>92</sup>*Report*, App. B10-11; also *idem*, App. B38, p. 186.

<sup>93</sup>*The Whole Proceeding upon the Arrangment, Tryal, Conviction, and Attainder of Christopher Layer for High Treason, in compassing & imagining...The Death of the King* (London: S. Buckley, 1722), pp. 90-91, 124-25; *State Trials*, xvi, 228-29.



*in absentia*.<sup>94</sup> The Duchess of Ormonde was to stand proxy for the Pretendress. Layer lacked any acquaintance with a nobleman of commensurate stature, so it was hoped that Orrery would represent the Pretender. Evidently approached about performing the favour by his own secretary, Simon Swordfeger, Orrery considered and probably discussed it with James Hamilton, who appears to have broached the subject in letters to Rome. Naturally discreet, and without foreknowledge of Layer's character, Orrery initially declined but later seems to have reconsidered. He may also have written for the Pretender's permission. Upon learning that the Duchess had agreed to stand, Orrery wrote to Layer offering apologies.<sup>95</sup> The Duchess's illness and Orrery's reluctance delayed the christening for months, but it was finally performed at a Mrs. Fox's house in Chelsea in late March or early April 1722.<sup>96</sup> Instead of Orrery, the Pretender was represented by North & Grey, with whom Layer seems to have developed a friendship following the christening.<sup>97</sup> This broad outline of events pertaining to the christening was repeated in Layer's examinations. It met varying reactions by Jacobites in England and abroad. Mar suggested that Layer confessed to the christening intentionally 'thinking they could hurt nobody but himself'.<sup>98</sup> James Hamilton expressed similar sentiments, convinced that Layer was:

a man of virtue and entire honour, the unprecedented Severitys of E Hannover's agents towards him is a Strong vindication of his probity and Steadiness. I fear he will fall a Sacrifice to their malice for...they are fully acquainted with the particulars of the Christening of his child.<sup>99</sup>

Orrery later attempted to dissociate himself from Layer's treasonous schemes, but his role in the christening confirmed his links with the barrister. From the Tower in January 1723 Orrery remarked somewhat sardonically that 'my refusal to represent the Pretender as God father

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<sup>94</sup>Monod, *Jacobitism*, p. 272, describes this favour as a 'considerable honour'.

<sup>95</sup>In a letter written after Orrery's arrest and some six months after Layer's child was christened, the Pretender remarked that Orrery 'never mentioned directly to me the favours in question for his amanuensis, I never writ about it to him but...you have more than once writ about it, I desir you will tell Ld Orrery to make use of the queens name in that occasion in the manner he thinks fit': RA, Stuart Papers 62/104. (autograph) James III to James Hamilton, 20 Oct. 1722, N.S. It is also possible, however, that this letter refers to one of the children born to Mrs. Swordfeger, for which see below, Ch. 11, pp. 506-07.

<sup>96</sup>The most likely date seems 29 March, based on a letter from Layer to North & Grey dated 27 March 1722, found in PRO, SP 35/39/34; and printed in *Report*, App. B34, p. 178.

<sup>97</sup>*Report*, App. B11, p. 144; *idem*, B38, pp. 186-87; and *idem*, B12, pp. 147-48, examination of Rev. Aaron Thompson, 3 Oct. 1722. Similar accounts are found in PRO, SP 35/39/38; *Faithfull Account of the Life of Christopher Layer*, pp. 18-19. Also see *Whole Proceeding*, pp. 90-91, 124-25, 135, for accounts of Layer's examinations by government interrogators Charles Delafaye and Abraham Stanyan.

<sup>98</sup>RA, Stuart Papers 64/129. Mar to James III, 4 Jan. 1723.

<sup>99</sup>RA, Stuart Papers 63/33.

ought to anger the Jacobites & to make me well' with the government.<sup>100</sup>

These observations regarding the christening can be interpreted as lending considerable credibility to Layer's testimony. His testimony also supplies valuable details about his knowledge of the English Jacobite hierarchy's plans, and of Orrery's ambiguous role in their formulation. Many details are consistently repeated yet, unfortunately, this aspect of Layer's testimony is more contradictory and not as widely corroborated as accounts of the christening. In his first examination on 19 September Layer noted that he had seen Orrery twice in previous weeks and informed him that he believed Orrery would 'bring about the good of the Nation'. Orrery had replied that he feared the Jacobites had little hope other than to achieve a change by 'a Parliamentary Way', but that Lord Cowper had projected there were 'Two hundred Tories, and Ninety Grumbletonian Whigs' in the Commons upon whom the Jacobites could rely.<sup>101</sup> This remark sparked a renunciatory speech and a signed declaration from Cowper.<sup>102</sup> Based upon Orrery's parliamentary experience, as well as more recent assessments, and despite Orrery's links with the peers known as Cowper's Cabal, these figures seem to represent an extremely unlikely estimate.<sup>103</sup>

Layer attributed Orrery's motivation for cultivating their acquaintance to 'Curiosity' after learning of his trip to Rome. During his initial conversation with Orrery, which occurred 'before the Encampment' in April 1722, Orrery was given a full account of the interview with the Pretender. Orrery stressed the need for foreign forces and the Jacobites' bleak prospects since there were none forthcoming.<sup>104</sup> In the examination of 21 September Layer recalled a meeting with North & Grey in which the peer had rebuffed Orrery's apprehensiveness, calling him a 'timorous fellow' who made 'difficulties, and schemes out of his own brain',<sup>105</sup> almost certainly a reference to Orrery's suggestion that money raised for the abortive invasion attempt be channelled instead into electioneering.<sup>106</sup> The October examination supplies the most extensive details about Layer's conversations with Orrery, but

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<sup>100</sup>BL, Add. MS 61830, f. 59.

<sup>101</sup>*Report*, App. B8, p. 137; *idem*, App. B10, p. 140.

<sup>102</sup>Herts. RO, Panshanger MS D/EP F186, ff. 19-20, and 21-22 are printed versions of Hutcheson's and Cowper's declarations; cf. *State Trials*, xvi, 457-59; Campbell, *Lord Chancellors* (1857 edition), v, 334-35. A draft of Cowper's speech is in Herts. RO, Panshanger MS, D/EP F123, f. 51.

<sup>103</sup>This reference to Cowper and its veracity are analysed in detail in Jones, 'Jacobitism and the Historian', pp. 686-89.

<sup>104</sup>*Report*, App. B10, p. 139; PRO, SP 35/33/10; CUL, Ch. (H) MS P64/17/2.

<sup>105</sup>*Report*, App. B10, p. 139; copies also in PRO, SP 35/33/200.

<sup>106</sup>See above, p. 349.

many of these are simply restatements or amplifications of previous testimony. The first meeting with Orrery was again dated as having occurred in the spring of 1722. Layer described how Orrery had questioned him several times about credentials from Rome, but, as Layer had none, Orrery assured him he believed him an honest man and welcomed him regardless. This examination also repeated additional accounts of Orrery stressing the need for foreign assistance and about Layer's visit to Rome.<sup>107</sup> It would appear, then, that at least two significant conclusions can be drawn from an analysis of Layer's testimony. One is that Orrery was aware, but at the same time, hardly a wholehearted advocate, of the unsupported rising proposed by his cohorts earlier in 1722. A second, somewhat interdependent conclusion is that in varying degrees, both Layer and Orrery appear to have been engaged in their own separate, respective restoration projects. Insofar as it applies to Layer, the latter conclusion follows the argument advanced by Atterbury's most recent biographer.<sup>108</sup>

The first conclusion is amply supported by the evidence, some of which is supplied by Orrery himself (and discussed below) and by Layer's repeated references to Orrery's opposition to North & Grey's programme for instigating a military rebellion among disgruntled Hanoverian officers and common soldiers. Layer repeatedly described Orrery's lamentations that North & Grey, Strafford and others were undertaking a 'rash thing in favour of the Pretender' which could only prove futile.<sup>109</sup> Indeed, North & Grey's influence may be evident in Layer's own 'Scheme'. The authors of the Commons *Report* noticed that it did 'not appear drawn up' by a barrister, a fact also pointed out by a more recent study.<sup>110</sup> Layer, of course, had no military experience and admitted to meeting North & Grey at the latter's house in Epping.<sup>111</sup> During his 1 October examination Layer reported that he had drawn up plans for 'his' design with North & Grey's permission.<sup>112</sup> The precision of different stages of Layer's

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<sup>107</sup>*Report*, App. B11, p. 142; PRO, SP 35/39/11; and PRO, SP 35/73/45, extract minutes of the 1 Oct. examination.

<sup>108</sup>Bennett, 'Jacobitism and the Rise of Walpole', p. 86; and *idem*, *Atterbury*, pp. 238, 265: e.g., Bennett asserts that the Commons *Report* 'conflated a number of quite separate movements, that it was founded on circumstantial evidence alone, and that there was no living witness to the essential facts...'; cf. Cruickshanks, 'Atterbury Plot', p. 92, who places Orrery among the principal conspirators and argues that Layer's scheme was orchestrated along with the other conspirators.

<sup>109</sup>*Report*, App. B8, p. 139; App. B10, p. 139; App. B11, p. 141; App. B38, p. 192.

<sup>110</sup>*Report*, p. 21; Fritz, *English Ministers and Jacobitism*, p. 80, noticed the 'almost professional knowledge of military detail' in Layer's scheme. For an analysis of North & Grey's and Layer's military preparations see Cruickshanks, 'Atterbury Plot', pp. 96-99.

<sup>111</sup>*Report*, App. B8, p. 137, App. B11, p. 145, App. B38, pp. 187-88.

<sup>112</sup>*Report*, App. B11, p. 141.

plan are certainly sufficient to suggest close cooperation with some experienced military officer; and it should be pointed out that Layer could have received similar, though less optimistic, advice on military tactics from Orrery himself. Orrery's role in formulating the plans for an internal military defection is also implied by a letter he wrote in September 1722 ten days before his apprehension. In a letter of gratitude for his Lieutenant General's commission, Orrery requested that more commissions be kept in readiness in hopes they could be utilised among the 'Considerable' support the Jacobites enjoyed 'in the army among the inferiour (sic) officers & Common men'.<sup>113</sup> Perhaps another unresolvable question is whether or not Layer, because of obligations stemming from the christening, or simply out of fortitude and sincere commitment to Jacobitism, was completely forthcoming in his examinations concerning both North & Grey and Orrery.

In contrast to the conclusion of a recent study of Layer and North & Grey's roles in the conspiracy,<sup>114</sup> Orrery does seem to have embarked upon a separate scheme independent of the 'official' invasion conspiracy devised in 1721 and improvised in early 1722. The Commons Committee deduced that what it called 'the first design' was to occur with foreign aid at the time of the general election, and as it failed, because of the lack of foreign forces, the second was to occur when George I went to Hanover.<sup>115</sup> In conjunction with his references to the 'rash thing', additional examples from Layer's testimony provide further verification of the existence of separate, evolving, improvised plans. On 21 September Layer informed the Lords of the Council he had attempted 'to get into the Knowledge of the Real Scheme but could not', and he was forced to admit 'in Justice to Lord Orrery's prudence' that he had no specific knowledge of such a scheme.<sup>116</sup> In another examination Layer reaffirmed his certainty that 'Orrery and Lord North & Grey had a Scheme' and that both were 'the Pretender's Friends, but had different schemes'.<sup>117</sup> A nearly identical rendition of the situation was recorded in the *Lords Report*, where Layer admitted writing to the Pretender 'concerning the Difference of Opinion which he [Layer] observed in Lord North & Grey and Lord Orrery about the Means of restoring him'.<sup>118</sup> Orrery's detachment, Layer's intimacy with North & Grey, and the greater

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<sup>113</sup>RA, Stuart Papers 49/4. Orrery to James III, 17 Sept. 1722.

<sup>114</sup>Cruickshanks, 'Atterbury Plot', p. 92.

<sup>115</sup>*Report*, p. 7.

<sup>116</sup>*Report*, App. B10, p. 139.

<sup>117</sup>*Report*, App. B11, p. 144.

<sup>118</sup>*Lords Report*, p. 141.

likelihood of his cooperation with that peer in any Jacobite restoration schemes are underscored by Layer's comment that he often informed North & Grey of the substance of his discussions with Orrery, but, when he was alone with Orrery, he did not reciprocate the favour by describing his conversations with North & Grey. To this North & Grey gruffly retorted that Orrery 'knew nothing nor should he know'.<sup>119</sup> Despite the problematic nature and equivocal credibility of Layer's testimony, the separate scheme theory remains valid because it is manifested in other places by other informed Jacobites. The Pretender himself described several projects to Orrery, involving the capture of the Tower, the takeover of the City of London, and George I's assassination, and he also endorsed some of Orrery's reservations about the schemes.<sup>120</sup>

As noted above, Orrery was also rightly implicated in the Jacobites' money-raising activities through the summer of 1722. These remain among the most distinctive aspects of his Jacobite endeavours. It is also at this advanced stage of the so called Atterbury Conspiracy's history, after arrests had already begun, that the outlines of a distinct plan of Orrery's own concoction begins to emerge. Orrery's plan was probably a continuation of his election strategies and consisted primarily of efforts to raise money, both in England and abroad. In May 1722 he still enthusiastically advocated highly secret negotiations with Dubois for promises of financial assistance. Orrery was remarkably optimistic about their eventual outcome and his comments imply personal involvement. He claimed he knew for certain that Dubois had 'a good deal of inclination' for supporting the Jacobites financially and with Irish troops, and urged that talks in Paris be resumed immediately, adding that:

I do not know that any one in England besides my self is yet acquainted with the steps that have been made in this matter and I think, Sir, 'tis proper that you should keep what I now write entirely to your self tho' I could wish you had some friends in the court of France of great quality & weight that you could employ to Sollicit the Regent & the Cardinal without taking notice of any thing that has pass'd there lately in relation to your affairs or of any hint that has been given you to this purpose.<sup>121</sup>

Ironically, Orrery had stressed in 1721 that the Jacobites needed money 'for intelligence abroad, which we are very deficient in', and he hoped that several full-time agents could be maintained.<sup>122</sup> His comments about Dubois indicate that his intelligence about the disposition

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<sup>119</sup>*Report*, App. B11, pp. 141, 146. It should also be remembered that Layer escaped briefly on 20 September and is believed to have dispatched a message of warning to North & Grey.

<sup>120</sup>RA, Stuart Papers 59/71. James III to Orrery, 29 April 1722, N.S.; *idem*, 60/24; *idem*, 65/33. James III to Mar, 14 April 1722; BL, Add. MS 47029, f. 134. Perceval to Dering, July 1722.

<sup>121</sup>RA, Stuart Papers 47/35. Orrery to James III. This letter was evidently misfiled by an archivist at Windsor; it is bound with letters written in 1720 despite its endorsement as dated 31 May 1722. It is also very heavily numerically ciphered.

<sup>122</sup>RA, Stuart Papers 55/67. Orrery to James III, 28 Oct. 1721; and partially printed in

of the French court in 1722 was highly inaccurate and that he was unaware of Dubois' collaboration with the British government.<sup>123</sup> Orrery would be accused of similar blunders later in the 1720s.

Further evidence from Orrery's own letters in 1722 also lends credence to and virtually confirms the interpretation that he formulated his own improvization of the Jacobites' main scheme. As his fellow conspirators toyed with the foolhardy idea of a rising without sufficient military backing,<sup>124</sup> and then attempted to remain inconspicuous when the ministry stepped up its investigation, Orrery continued solicitations for funds. He was definitely engaged in money-raising activities as late as September 1722, especially among wealthy merchants and bankers in the City of London.<sup>125</sup> These activities were conducted primarily by the personal circulation of blank promissory notes signed by 'James R'. Charles Caesar was apparently designated to assist Orrery in this task.<sup>126</sup> As with Orrery's correspondence, these receipts were sent to James Hamilton who then conveyed them to Orrery's hands. Orrery received 100 of these in July of 1722.<sup>127</sup> Several were presented as evidence in Laver's trial.<sup>128</sup> Since arrests had already begun and the element of surprise in an attempt in the summer of 1722 was lost, Orrery intended to carry on with the fundraising in hopes of launching an insurrection after sufficient money had been collected. He informed the Pretender that:

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Mahon, *History of England*, ii, Appendix, xvii-xviii.

<sup>123</sup>While viewing the idea as 'judicious', James III did not express explicit reservations about Orrery's intelligence, but cautioned him that it would be difficult to get 'Irish Troops in the French Service without the Regents leave & knowledge': RA, Stuart Papers 60/23. James III to Orrery, 15 June 1722, N.S.

<sup>124</sup>An idea of the judgement of some of Orrery's fellow conspirators can be demonstrated by a letter from Viscount Falkland to James III from the autumn of 1721. Writing on Goring's behalf, Falkland described how 'the disaffection for the present administration and the forward designs of your friends so thoroughly bent on your Majesty that...there never was such a complication of accidents to Secure almost [sic] a certain success in any present design you shall judge proper to undertake'. He continued by insisting that if the Pretender was to appear in person 'well landed with only the number of officers y: M: can bring along with you, you would find that scarce [?] 24 hours would place you in a condition of disputing with Success against these usurpers'. Goring claimed that in six hours 1,000 men would join; 5,000 men within a day, and within a week, 50,000: RA, Stuart Papers 55/55.

<sup>125</sup>RA, Stuart Papers 59/143. Orrery and Hamilton had been introduced to City of London dignitaries through a Dr. Charlton: RA, Stuart Papers 63/108. James Hamilton to James III, 4 Dec. 1722.

<sup>126</sup>'The notes for raising of money have been already sent Lord Orrery and it is now sometime since I writ to him in relation to commissions': RA, Stuart Papers 60/54. James III to Charles Caesar, 19 June 1722, N.S.

<sup>127</sup>RA, Stuart Papers 60/130. Orrery to James III, [London], 6 July 1722, N.S.; *idem*, 60/140. James Hamilton to James III, 9 July 1722, O.S.

<sup>128</sup>*Whole Proceeding*, p. 139; several of the original receipts are contained in CUL, Ch. (H) MS 69/2; and one is reproduced in Fritz, *English Ministers and Jacobitism*, p. 78.

I have already explain'd to you in general the use I would propose to make a great sum of money rais'd this way by which you will perceive there is no great occasion at least for sometime to talk with many other persons upon the Subject, my design is that the project to be executed shall not interfere with any other scheme for your Service if any other probable one can be form'd and ripe[n] sooner than what I have in my thoughts I shall contribute to it all I can very chearfully and ever let any part of the money which I can raise by these notes be employ'd for executing the scheme of any other person as willingly as for my own, if I judge it for your interest...and therefore I shall always be ready to communicate my thoughts upon your affairs to any of your friends when tis for your service and never and reserv'd to any of 'em, but when I think it may be prejudicial to you to be too free if you will give me credit in this assertion you will leave it to me how far and to whom to open myself to all occasions.<sup>129</sup>

This letter not only points out Orrery's independence from the earlier ill-fated invasion plans; it gives some idea of his convictions about the superiority of his own status and efforts to bring about a restoration.

Orrery's separate plan was not kept as secret as he may have desired. The Pretender sent Lansdowne a copy of one of Orrery's earlier letters which also described his intentions, remarking that Orrery had 'a project in his head, but I do not believe it is the same with that mentioned to you'.<sup>130</sup> Lansdowne was delighted with Orrery's project. His enthusiastic response to Orrery's proposals even adopted some of the same words in their latter's characterisation of them: 'there is nothing proposed by Brumpton [Orrery] for immediate execution, the accident which has happened can be no hindrance to it, but his Project may be left to ripen.' Lansdowne suggested the Jacobites were waiting on news of solicitations for aid in St. Petersburg, and also indicated that he had been unsuccessful in securing a private audience with Orleans and had a quite different view as to the prospect for French aid. Finally, his letter proves that Orrery had suggested both the content and the time for publication of a proclamation by the Pretender when the necessary funds had been raised.<sup>131</sup>

Part of Orrery's strategy for a restoration did in fact concern securing foreign assistance. A long letter evidently dictated to James Hamilton reveals something of Orrery's objectives. Orrery believed that one (among many) of the Jacobites' most serious problems was the difficulty in demonstrating domestic support for a restoration to foreigners without a

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<sup>129</sup>RA, Stuart Papers 60/130. Orrery to James III, [London], 6 July 1722, N.S.

<sup>130</sup>RA, Stuart Papers 59/55. James III to Lansdowne, 25 April 1722.

<sup>131</sup>'The final paper which Brumpton recommends to you to prepare should come from England, the finishing stroke of that kind will be best digested there where they have all the materials before them, which on this side we have not...something in general should be said for amusement...the meaning whereof is to give people a different expectation from anything yet thought of, to blind them in your reall views, to gain the general opinion in favour of your moderation and of your resolution at the same time, to warm the hearts of your friends, and take off the edge of your enemies': RA, Stuart Papers 60/128. Lansdowne to James III, Paris, 6 July 1722, N.S.

reasonable prior assurance of receiving foreign assistance. Orrery's solution to this deadlock was to raise a substantial amount of money in Britain as a sort of down payment of good faith money for a rebellion. In Hamilton's words, money was obviously essential to purchase arms, but it also might serve as 'a prevailing argument to engage some foreign prince to send such a number of forces as the King's friends may think necessary to enable them to do the affair...in case an opportunity should suddenly offer besides a sum to lay down may have more weight with foreign minister than all the security that otherways can be given'. Hamilton and Orrery were confident that a war chest of ready cash would 'give motion to the machine [which] was always wanting when a scheme was formed' and thus 'the opportunity thereby was lost, the late design is a recent proof of the truth, for had there been a sufficient sum in bank the business might have been effected in the Spring with very little hazard'.<sup>132</sup> Then and later Hamilton also explained how Orrery was trying to raise money in September 1722 with the intention to send John Menzies abroad as an emissary to solicit support at foreign courts, particularly at Paris and St. Petersburg.<sup>133</sup> Anxious to dispel any impressions that he was being uncooperative, Orrery sent assurances to Rome in July 1722 that he was eager to 'go into any reasonable measures with the friends in England for the restoration but he is not for encouraging any rash project that is likelier to destroy (sic) than provoke what is so much desired'.<sup>134</sup>

If the circumstances of Orrery's efforts to raise money for the Jacobites in 1722 are fairly evident, the possibility of his delegation of some of those activities to Christopher Layer and their joint complicity in treason is less so. Layer claimed Orrery voiced strong objections to him obtaining ten of these receipts in the post after Layer had requested them from Sir William Ellis, an exile attached to the Jacobite court in Rome. According to Layer, Orrery and North & Grey both called Layer's money-raising efforts an 'idle project' undertaken on his own behalf.<sup>135</sup> Nevertheless, Layer's comments may have been attempts to minimise involvement with him and thereby avoid their incrimination. Contrary details about Orrery's cooperation with Layer are confirmed by a letter James Hamilton wrote after Orrery's

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<sup>132</sup>RA, Stuart Papers 59/143. James Hamilton to James III, 29 May 1722, O.S. This very long letter is composed heavily in numerical cipher. A postscript at the end reads: 'Mr Nisbet [Orrery] read this and is pleased to approve of it'.

<sup>133</sup>Charles Caesar joined Orrery in supporting this proposal: RA, Stuart Papers 62/53. James Hamilton to James III, 21 Sept. 1722.

<sup>134</sup>Bathurst fully endorsed Orrery's views at this juncture: RA, Stuart Papers 61/16. James Hamilton to James III, [London], 20 July 1722, O.S.

<sup>135</sup>*Report*, App. B11, p. 143.



arrest. Hamilton had exchanged one of these receipts for £1,000. Then after Orrery's confinement and Hamilton's flight, he recalled with unease how:

the Day before Mr Lear was Seized he received ten from Orrery's own hand, but while he was in the messenger's custody he found means of acquainting Orrery's book-keeper [Swordfeger], that he had put them into a friend's hand. I hope in God they are safe, for if that brakes (sic) out what will become of E. Orrery.<sup>136</sup>

Coming from Hamilton such a story is unencumbered by the uncertainty which a similar comment by Layer might evoke; it certainly suggests that Layer, a barrister with contacts among moneyed interests in the City, was actually employed by Orrery in his fundraising scheme.

Hamilton's statement also runs counter to the ambivalence Orrery felt toward Layer which is revealed in a letter Orrery later wrote--possibly to maintain the Pretender's confidence--following his release from the Tower. In 1724 Layer's widow solicited Orrery in person for an allowance. Orrery disingenuously claimed that he had had 'not much acquaintance' with Layer, 'whose indiscretion rather than malice I am inclined to believe did me great mischief and who said many things relating to me that had no truth in 'em'. Orrery further informed Mrs. Layer of his 'great reason to resent her husband's usage', and that he was quite incensed that she had been 'so impudent' to visit him at his own house. Nevertheless, since he believed Layer had chosen 'to dye rather than to do more mischief', Orrery recommended she receive a pension from Rome of £100 p.a. for life.<sup>137</sup> Regardless of Orrery's comments about Layer, an analysis of the evidence leaves one with the impression that it is inconceivable that Orrery was isolated and completely ignorant of the plans being contemplated in England in the spring and summer of 1722. Substantial proof establishing just the opposite conjecture simply cannot be dismissed. Orrery's opposition to the particulars of certain restoration schemes does not necessarily constitute lack of knowledge about their components; rather one would expect a conspirator to oppose some plan if he had sufficient knowledge to determine its chances of success were marginal and unrealistic. Furthermore, Orrery clearly had more frequent and involved contacts with Layer than he was willing to admit, and these are further detailed in discussion of the examinations of other suspects arrested by the government that will follow.

After Layer's arraignment before the Court of King's Bench on 31 October 1722, his trial, if it can be thus classified, began on 21 November 1722.<sup>138</sup> Witnesses present were

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<sup>136</sup>RA, Stuart Papers 63/33; *idem*, cited by Cruickshanks, 'Atterbury Plot', p. 102.

<sup>137</sup>RA, Stuart Papers 74/126. Orrery to James III, 9 June 1724, O.S.

<sup>138</sup>A sympathetic iconograph of Layer and a summary of the trial was printed in issues of the *London Journal: A Supplement to the London Journal of 2 February, 1722-23, Being a Large Abstract of the Tryal of Christopher Layer, Esq., with an introduction by Britannicus* (London: J. Peele, [1723]) see also *State Trials*, xvi, 94-322; and *Whole Proceeding*.

unanimously supportive of the government's case. The rigid security the government applied to suspects is apparent in orders issued by Carteret.<sup>139</sup> Hauled before the court in chains, unable to prepare his own defence, Layer was doomed. He had begged permission for Orrery and North & Grey to be brought before the court as witnesses for his defence.<sup>140</sup> The Dutch envoy recorded rumours which suggested their appearance would allow them publicly to absolve themselves,<sup>141</sup> but their subsequent actions were all too incriminating. A laconic North & Grey made one appearance. Orrery, however, was excused, perhaps by Carleton's intercession or because he lacked the courage to face his accusers and the concomitant embarrassment and humiliation of a cross-examination, or for genuine reasons of poor health.<sup>142</sup> At any rate, Layer's extraordinary trial ran for 17 hours straight and concluded at 4:00 a.m. on the 22nd, when the jury withdrew for thirty minutes before returning and pronouncing Layer guilty.<sup>143</sup>

#### IV

Since Orrery never faced trial, historians can never be absolutely certain what type of defence he would have presented. After his release Orrery related how he had destroyed every single incriminating paper in his possession,<sup>144</sup> a prudent measure which saved his life and which may have occurred because of prior notification of this danger by a government contact. Layer was somehow able to warn North & Grey of his impending apprehension and Walpole believed Carteret was responsible.<sup>145</sup> Orrery's secretary later told informant John Semple that some 'private advices' had led Orrery and Strafford to rid their houses of any

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<sup>139</sup>All prisoners in the Tower suspected of complicity in the plot who were appearing in Layer's trial were to be carried to Westminster 'in a separte (sic) coach', not allowed 'to speak to each other, nor to any other persons', nor 'receive any Papers...[and] should be kept in separte (sic) rooms': PRO, SP 35/34/51; PRO, SP 44/80/131; PRO, WO 94/3/159; *Tower Records*, p. 333.

<sup>140</sup>Bodl., MS Rawlinson C-151, f. 16; RA, Stuart Papers 63/32. Newsletter dated London, 19 Nov. 1722, contained in Lansdowne to James III, 7 Dec. 1722 N.S.

<sup>141</sup>BL, Add. MS 17677 KKK-5, f. 405; *idem*, cited in Cruickshanks, 'Atterbury Plot', p. 102. Layer also asked for additional time to prepare his case, claiming he had more than 20 witnesses 'most of them people of the first quality' and from as far away as Edinburgh, but his requests were denied: *Whole Proceeding*, p. 22.

<sup>142</sup>*Whole Proceeding*, p. 101; RA, Stuart Papers 63/32; *State Trials*, xvi, 245-47.

<sup>143</sup>Boyer, *Political State*, xxiv, 508; *State Trials*, xvi, 299; *Whole Proceeding*, p. 139.

<sup>144</sup>RA, Stuart Papers 68/27. Orrery to James III, 31 July 1723; cf. Budgell, pp. 217-18.

<sup>145</sup>Cruickshanks, 'Atterbury Plot', p. 101.

incriminating papers.<sup>146</sup> James Hamilton was also forewarned of his impending arrest,<sup>147</sup> and a warning from some inside informant would also explain why Swordfeger was sent to North & Grey's house on 27 September, the day the clerk's own arrest warrant was issued.

Orrery's reaction to his imprisonment and the government's investigation was one of understandable bitterness and disbelief. Comments he made during his incarceration raise interesting questions about his involvement in the plot itself and his contacts with Layer. Two seemingly heartfelt letters written from the Tower to Uxbridge, one of his dearest friends, and apparently smuggled out of Orrery's cell, profess the unfeigned reflections of a man frustrated by a political witch-hunt which had left him isolated and helpless. The first letter decried Parliament's 'submissive Temper' and the fact that the ministry and the House of Commons were:

making out their pretended plot from the papers of a man that was taken up above four months after the discovery of it, but they must do as well as they can and since by the sameness of the Houses they can get anything voted they need not much apprehend any objections to their methods.

Orrery also evaluated the previous day's examination of Layer by the Commons Committee. Extremely sceptical, Orrery was convinced that if it were accurately presented to Parliament it would 'appear a Rhapsody of unintelligible stuff when many people are nam'd as disaffected without any particular charge or design'd accusation against any person but they will know how to dress it up perhaps well enough to serve their purpose'.<sup>148</sup> Another letter written five days later is all the more curious for establishing Orrery's position with leading Jacobites. Here Orrery claimed Walpole and his supporters had embarked down:

a path that is likely to lead 'em astray, for I am well convinced that they will not be able to make out anything of their plot, & if that proves to be the case surely it had been better for 'em never to have gone into these extraordinary methods...as to my own case I dare say by all that I can learn it will appear to impartial people that by what came to their knowledge they ought rather to have commended than punish'd me & that I deserve less thanks from the Jacobites than from them...my declaring my self of opinion (if I did so of wch I know nothing) that nothing cou'd be attempted reasonably against the present establishment without foreign forces wch the Ministers have owned were not to be had must acquit me entirely of any concern in the present conspiracy wch they themselves say was grounded upon the hopes of ye Insurrection of the people at home & some defection in the army.<sup>149</sup>

If the veracity of these letters is accepted, they certainly reinforce the notion that Orrery played a limited role in the Atterbury Conspiracy. Yet, determining the level of authenticity

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<sup>146</sup>BL, Add. MS 38504, ff. 126-29. (Copy), Semple to Horatio Walpole, 25 Nov. 1725, N.S.

<sup>147</sup>RA, Stuart Papers 62/157. James Hamilton to James III, Rotterdam, 5 Nov. 1722, N.S.

<sup>148</sup>BL, Add. MS 61380, ff. 57-58. (autograph) Orrery to Uxbridge, 'Sunday Night', 20 Jan. 1723.

<sup>149</sup>BL, Add. MS 61830, f. 59. (autograph) Orrery to Uxbridge, 'Friday night, 25 Jan. 1723'.

in the comments they contain may be beyond resolution. Atterbury, North & Grey and Orrery were all technically denied access to outside communication while they were imprisoned. Atterbury was forced to yell to family members through the bars of his cell window, which was later boarded up by one of the Tower guard's commandants.<sup>150</sup> Consequently, if Orrery wrote these letters fearing they might be intercepted, then his suggestions of distance from Layer and of a correspondingly minimal role in the Conspiracy are easily explained. There are, however, problems with this theory. It was possible even for Atterbury to receive outside messages, for early in his confinement Orrery was able to bribe a guard to deliver a message to the Bishop containing an offer to raise his bail.<sup>151</sup> In November 1722 the poet Alexander Pope was allowed to see Atterbury and passed him letters through the connivance of the Tower's commander, Lord Carlisle.<sup>152</sup> Moreover, it is virtually unthinkable that Uxbridge was unaware of Orrery's Jacobitism and that Orrery would have written him misleading letters in attempts to conceal it.

One of Orrery's puzzling Tower letters also refers to one of the more mysterious subjects with which he was identified in 1722-1723: a group of Tory peers and MPs known as Burford's Club.<sup>153</sup> The Club emerged from the testimony of John Plunkett, and of all the conspirators examined who implicated Orrery in some way, his background is by far the most nebulous. Born in Ireland, Plunkett was trained at a Jesuit college in Vienna and served as secretary to the Imperial envoy, Count Gallas. Sometimes identified as 'James' Plunkett, the *Commons Report*,<sup>154</sup> it repeatedly linked Plunkett closely with Orrery as a Jacobite agent who reportedly wrote of 'himself as transacting part of his Treasons with Lord Orrery's clerk and sends frequent account to the Pretender's Agents abroad, of matters relating to the said Lord'.<sup>155</sup> Aside from government examination testimony, however, there is no corroborating

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<sup>150</sup>See *The Freeholder's Journal*, 9 Jan. 1723; and *idem*, cited in George Harris, ed., *Life of Lord Chancellor Hardwicke, With a Selection from his Correspondence, Diaries, Speeches and Judgements* (3 vols., London: Edward Moxon, 1847), iii, 129.

<sup>151</sup>RA, Stuart Papers 49/4. Orrery to James III, 17 Sept. 1722.

<sup>152</sup>Alexander Pope, *The Correspondence of Alexander Pope*, George Sherburn, ed. (5 vols., Oxford: Clarendon Press, 1956), ii, 146. Atterbury was allowed to receive two letters shortly after his imprisonment: PRO, SP 35/32/163. He continued to write to Pope as late as March 1723: *Memoirs of Atterbury*, i, 390-91.

<sup>153</sup>The membership and even the existence of Burford's Club remain subjects of debate. Jones, 'Jacobitism and the Historian', pp. 688-89, argues the Club was a fabrication of one of the minor plotters arrested in the conspiracy; while Cruickshanks, 'Atterbury Plot', p. 96, sees it as a well organised Jacobite moneyraising group.

<sup>154</sup>An unfavourable physical description of Plunkett (which incorrectly refers to him as James) at the time of his arrest on 24 Sept. 1722, records him as: a 40-year old solicitor, middlesized, fat with a full nose, double chin, greyish eyes, and kept a whore at his lodging in a tavern on Little Wild Street: PRO, SP 35/33/70.

<sup>155</sup>*Report*, pp. 13, 40; [William Stewart], *A Distinct and Impartial History of the*

evidence to support this link and certainly nothing to suggest that Plunkett enjoyed anywhere near the degree of Orrery's friendship and confidence possessed by James Hamilton.

Orrery's connection with Plunkett's purported Burford's Club was patently obvious to Walpole's investigators and decipherers. They learned that one of Orrery's most frequently used Jacobite cant names was 'Burford', and this coincidence was one of the strongest links between him and the Jacobites which the government detected. Among Plunkett's intercepted correspondence was a draft of topics from some of his letters dating from early 1722. One mentioned delivery of a letter allegedly written by George I's minister, Baron Bothmar, to Orrery himself as 'Burford'.<sup>156</sup> In the public eye reports of the Club were all the more sensational because 'Burford' and his henchmen were implicated as those who were plotting George I's assassination.<sup>157</sup> Layer was subjected to repeated enquiries on the subject of Burford's Club and his examinations supplied links between the Club and Orrery. During Layer's trial the prosecution publicly argued several times how 'Burford' represented Orrery in cyphers discovered in Layer's treasonous papers.<sup>158</sup> Layer admitted knowing that Burford was one of Orrery's cant names in his trial and his examinations, but initially claimed he was uncertain about the membership of any club.<sup>159</sup> Later, Layer provided several names for a partial list of the suspected membership and six of the names on the aforementioned list dubbed Cowper's Cabal reappear on Layer's rendering of the Club.<sup>160</sup> Thus rendered, Burford's Club included several from a familiar group of the same peers who joined Orrery on the numerous protests of the 1721-1722 session, including Cowper himself, along with Bathurst, Bingley and Scarsdale.<sup>161</sup> A recent study questioning Cowper's supposed Jacobitism has asserted that the Club was simply a 'fabrication invented by either Plunkett or Neynoe' and revealed to Layer in his treasonous conversations.<sup>162</sup> Cowper and Archibald Hutcheson, both

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*Conspiracies, Trials, Characters, Behaviour and Dying Speeches of all those who have Suffered on Account of the House of Stewart, from the Revolution down to the Commencement of the Last Rebellion* (London: T. Gardner, 1747), p. 440.

<sup>156</sup>PRO, SP 35/39/22; printed in *Report*, p. 173. There is a MS copy of this letter in Townshend's papers within the Townshend MSS at Raynham Hall, Norfolk; as well as another reference to Burford's Club by Plunkett in BL, Stowe MS 250, f. 23.

<sup>157</sup>*Report*, p. 36.

<sup>158</sup>*Whole Proceeding*, p. 123.

<sup>159</sup>*Report*, App. B11, p. 143.

<sup>160</sup>This list is printed as a portion of his examination before the Commons on 19 January and 4 February 1723: *Report*, App. B38, p. 191. See the similar identification in a small cant name list of Plunkett's taken from Layer's papers and found in: CUL, Ch (H) MS P64/17/6.

<sup>161</sup>All of these issued declarations of denial: BL, Add. MS 47077, f. 318.

<sup>162</sup>Jones, 'Jacobitism and the Historian', p. 688.

named by Layer in his testimony, responded by issuing public declarations about their innocence to dissociate themselves from Burford's Club.<sup>163</sup>

Orrery's own comments shed little light on his chairmanship of a club of Tory-Jacobite plotters. In his second letter from the Tower, he refers to rumours about the club with derision, implying they virtually exonerate him of all charges: 'I hear of nothing more concerning myself than...what they had heard about the Club [which] I am apt to think by this time they must themselves be satisfy'd was a downright fable invented by some body to get money such at least I suppose it to be for it has not the least foundation'.<sup>164</sup> Like that of other informants, the circumstances surrounding the accumulation of Neynoe's testimony demonstrate its blatant unreliability and shows Orrery's offhand dismissal of the Club's existence might well contain an element of truth. Yet again, one must weigh Orrery's motivations and expectations in the letter's composition before reaching any firm conclusions. In other words, if his letter of 25 January 1723 is completely genuine and sincere, then the Club was a concoction. On the other hand, if Orrery wrote the letter suspecting it might be intercepted, then he quite understandably suggested the opposite. All that can be said with any certainty is that Orrery was certainly counted among the group of opposition peers associated with Cowper. Orrery's aforementioned fondness for the entertainment of like-minded politicians, and the possibility of his hosting political strategy sessions, may have nurtured rumours of a Club which he headed and thus betray the fictitious group's origins. Potential sources of these rumours might have been hearsay or drunken indiscretions between Swordfeger and Neynoe.<sup>165</sup>

Though far less substantial than Layer's, the other main body of evidence against Orrery is the testimony of Philip Neynoe, who may well be the most dubious of any conspirator who was examined. Bribed and intimidated by Walpole, he swore to nothing in writing and died before either Layer or Atterbury's case went to trial. Neynoe was a professed clergyman of the Church of Ireland who had been a fellow student of George Kelly's at Trinity College, Dublin. An impoverished failure who was reportedly expelled from Trinity, Neynoe had then

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<sup>163</sup>Herts. RO, Panshanger MS D/EP F186, ff. 19-22 are printed versions of Hutcheson's and Cowper's declarations; see also *State Trials*, xvi, 457-59.

<sup>164</sup>BL, Add. MS 61830, f. 59.

<sup>165</sup>Budgell, p. 210; also see below, Ch. 10, p. 401.

received a curacy from the Bishop of Chester in 1718.<sup>166</sup> He first seems to have approached Walpole with information to sell in early August 1722.<sup>167</sup> His testimony's crucial importance to Walpole's case and the fact he was receiving government bribes were common knowledge. After Walpole deceived him into treasonous self-incrimination, Neynoe was apprehended in flight to France, returned to London, and examined five separate times.<sup>168</sup> Last examined on the day Orrery was arrested, Neynoe drowned in the Thames in a suspicious escape attempt the following morning.<sup>169</sup>

Neynoe's testimony supplied Walpole with numerous details about the Jacobites, yet the information he supplied about Orrery is largely, if not entirely, unreliable. Unlike Layer, the only time that Neynoe saw Orrery himself was on one occasion in a chance meeting in the English Library, which James Hamilton later claimed Orrery dismissed as totally inconsequential. Although there was never any correspondence between the two men, Hamilton was convinced the library encounter was one of the main reasons for Orrery's arrest. After Swordfeger's referral of Neynoe, Hamilton recalled how Neynoe had approached him seeking an introduction to Orrery in order to discuss the Jacobites' prospects. Hamilton responded to Neynoe's request by minimising his links with Orrery and pointing to Orrery's connections with the Leicester House party.<sup>170</sup> Undaunted, Neynoe returned the next day and gave an astonished Hamilton £100 and a list of 30 names reportedly received from Walpole. Concealing his surprise 'with great difficulty', Hamilton proceeded to listen as Neynoe described his conversations with Walpole, which convinced Hamilton that Neynoe was 'either playing the

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<sup>166</sup>It was rumoured that Neynoe had failed to receive holy orders and was simply posing as a clergyman: BL, Add. MS 6117, f. 81; RA, Stuart Papers 100/45; Fritz, *English Ministers and Jacobitism*, p. 88.

<sup>167</sup>BL, Add. MS 47029, ff. 135-36; BL, Add. MS 32686, ff. 227-32.

<sup>168</sup>CUL, Ch (H) MS iii 69/5, E7; *idem*, cited in Fritz, *English Minister and Jacobitism*, p. 90; RA, Stuart Papers 100/45; Harrowby MS, Diary of Sir Dudley Ryder, Doc. 20, R29, pt. 2. pp. 1-2.

<sup>169</sup>PRO, SP 35/47/77. A church wardmaster in St. Martin's parish reported that he had heard Major General Pepper tell a government informant that Neynoe was murdered: PRO, SP 35/33/104. Percevale also recorded rumours about Neynoe's death: 'Tis Suspected his own Party made him away, but nobody can Say it, he might have as well Slipt off the wall into the river, or stept into a hole, as been canted in'; BL, Add. MS 47029, ff. 135-36. Perceval to Charles Dering, 9 Oct. 1722; cf. Fritz, *English Ministers and Jacobitism*, p. 90, who argues against Neynoe's murder on the grounds that he knew he would implicate himself and was clearly acknowledged as Walpole's principal witness.

<sup>170</sup>Jones, 'Jacobitism and the Historian', p. 688, n. 28, cites this as proof of Orrery's isolation from the English Jacobites' inner circle, but a Jacobite peer who could converse with the Prince of Wales over a long period of time and remain unsuspected would be an enormous asset.

Knave with him, or Mr. Walpole had imposed on him'.<sup>171</sup> Hamilton's assessment was accurate. Neynoe ultimately accepted over £400 from Walpole by pretending to reveal matters of great import while disclosing only snippets. Walpole tricked him, however, into revealing his true colours, and the minister compiled enough information to incriminate Neynoe himself.<sup>172</sup> Neynoe's penmanship for *The Freeholder's Journal* has been mentioned,<sup>173</sup> and it is also interesting that the examination of Orrery's clerk, Simon Swordfeger, mentions Hamilton by name and corroborates his story about Neynoe's introduction to Orrery.<sup>174</sup>

Corollary evidence demonstrates that Neynoe's bribe-induced testimony is contradictory and consistently problematic, and therefore should be treated with extreme caution. Walpole offered Neynoe money for accusations against opposition Whigs such as Cowper and even ministerial colleagues such as Carteret. During one interrogation Neynoe was coerced into admitting that Atterbury, Orrery and North & Grey were 'Leaders and Directors of the Conspiracy' to occur in the spring of 1722 and coincide with a landing by Ormonde 'in the River',<sup>175</sup> a description fairly accurate and indicating Neynoe must have had contacts with someone. Neynoe himself believed his testimony was the reason Orrery had been apprehended, and others examined in the government's investigation testified that Neynoe had been 'directed to give evidence agst ye protesting Lds, O[rrery?] & R[ocheste]r'.<sup>176</sup> Moreover, during Atterbury's trial in May 1723, Neynoe's testimony was so discredited that Walpole subjected himself to a cross-examination by Atterbury to sustain the government's case.<sup>177</sup> In his speech in the Lords following the conclusion of Atterbury's defence, Wharton emphasised the incredulity of Neynoe's testimony by reminding the House how he had told his friend Skeene that he (Neynoe) had written a paper to 'be delivered to one of Ld Orrery's friends, to declare that all he had said of lord Orrery was false',<sup>178</sup> a claim based on testimony

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<sup>171</sup>RA, Stuart Papers 100/45. Hamilton's later conversations dispelled any remaining doubts about Neynoe's purposes, and he warned Jacobite antiquarian Thomas Carte of his impending arrest.

<sup>172</sup>*Report*, App. B27, p. 175; BL, Add. MS 47029, ff. 135-36. Neynoe requested a separate council before Walpole and Townshend only on 24 September, a few days before Orrery's arrest warrant was issued, but it was denied: PRO, SP 35/33/77.

<sup>173</sup>See above, pp. 351-52; and RA, Stuart Papers 100/45.

<sup>174</sup>*Report*, App. B35, p. 178, and discussed at length below, pp. 379-82.

<sup>175</sup>*Report*, p. 42.

<sup>176</sup>Neynoe had reportedly been offered a pension of £2,000 by Walpole on one occasion: BL, Add. MS 34713, ff. 44-45.

<sup>177</sup>*State Trials*, xvi, 503-04, 573-76, 594; BL, Add. MS 34713, ff. 43-45; *idem*, cited in Bennett, *Atterbury*, p. 269.

<sup>178</sup>For this information from Wharton's brilliant speech see it printed in *Authentick Pieces of Wharton*, pp. 18, 27; *The Life and Writings of Philip, Late Duke of Wharton* (2 vols., London: the Booksellers of London and Westminster, 1732), ii; and reproduced in Robinson, *Wharton*,



given by a Mr. Crawford, a government messenger, and which, conveniently, was largely ignored or dismissed in the debate on Atterbury's guilt. Crawford, the messenger who had incarcerated Swordfeger for eight months, had given Neynoe paper, of which two sheets mysteriously disappeared.<sup>179</sup> It is noteworthy that the only thing Neynoe felt compelled to commit to writing was an admission that his story about Orrery was concocted to gratify Walpole.

Another interesting aspect of Neynoe's testimony concerns Swordfeger himself. In a letter to the Pretender--and therefore accurate--James Hamilton described a story he received from Mrs. Swordfeger, who related that on the evening her husband was arrested she had sent her sister to provide him with his linen.<sup>180</sup> Upon arrival at the messenger's house where he was confined the woman was ushered in, and while awaiting admittance to her brother-in-law, she encountered three men dining. One asked whom she sought, and his expression changed when he learned she was there to see Orrery's secretary. The man then plied Mrs. Swordfeger's sister with a glass of ale to drink Orrery's health and 'whispered for her not to be concerned for the Ministry cou'd not hurt the Earl nor her Brother'. Hamilton was absolutely convinced that Neynoe was the man in question, having precipitated Orrery's arrest and then felt compelled to attempt an escape because he would inevitably have to 'prove the facts of which there was not one tittle he could make out'.<sup>181</sup> Ultimately, then, one can conclude little more than that Neynoe's problematic evidence possesses limited value for establishing an accurate picture of Orrery's involvement in the Atterbury Plot.

## V

Some of the most fascinating evidence concerning Orrery's role in the conspiracy relates to his cousin, Lord Burlington. Recent studies have speculated about the possibility of the latter's Jacobitism and compiled considerable circumstantial evidence to confirm its

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Appendix C, pp. 274-78; *cf.* Lord Macclesfield's account of Wharton's speech, which affirms that Skeene had the letter himself to be delivered to Orrery but it was burned by Skeene because of his own arrest: BL, Add. MS 34713, f. 45.

<sup>179</sup>A maid testified she received a paper from Neynoe but it was later burned without explanation. A similar story is related in Lord Macclesfield's account of Atterbury's trial: BL, Add. MS 34713, ff. 44-45; *State Trials*, xvi, 675, 679.

<sup>180</sup>Possibly in order to learn the extent of his confession about Orrery, Mrs. Swordfeger herself petitioned Townshend to see her 'husband' sometime in September or October, but it is unclear whether the request was granted: see her undated, signed petition in PRO, SP 35/77/196.

<sup>181</sup>RA, Stuart Papers 100/45. Hamilton, interestingly enough, had also been responsible for persuading Neynoe to flee for France.

existence. Links with Catholic families harbouring strong Jacobite sympathies and several suspicious temporary disappearances while Burlington travelled through Italy in 1719 are among the more persuasive elements of this claim. Similar inferences can be drawn from suggestions of Burlington and Orrery's involvement in Freemasonry after 1723 with professed Jacobite Masons such as Wharton,<sup>182</sup> and the question of Burlington's massive debts.<sup>183</sup> Orrery's activities as a major Jacobite fundraiser and emissary during the very same period may be mere coincidence. It is likely that the issue of Burlington's Jacobitism will never be resolved, due to a frustrating paucity of sources resulting from the apparent systematic destruction of his papers.

Further proof has appeared, however, and it is contained not within the often criticised, cryptic letters and cant names of the Stuart Papers, but in the Parliamentary Reports published in the wake of the Atterbury Plot. The previously disregarded testimony of Orrery's personal secretary, Simon Swordfeger, establishes beyond all doubt that Orrery was closely linked with Layer and is also of extraordinary significance for any attempts to verify Burlington's Jacobite connections. By 1722 Swordfeger, possibly Flemish-born, had served as Orrery's clerk for at least ten years, apparently entering his service sometime during Orrery's embassy to Brussels from 1711 to 1713. A possible clue to his lengthy employment relates to the interesting and rather unusual arrangement Orrery maintained regarding his amanuensis and the services he--or more specifically--his wife, provided. This arrangement deserves some explanation. Orrery had remained a widower since his wife's death in 1708, and he never remarried. Swordfeger's wife, Margaret, was instead elevated to the status of Orrery's unofficial consort and mistress. Whether this relationship was conducted with the tacit knowledge and approval of Orrery's clerk is unclear, but, Margaret Swordfeger certainly possessed a considerable degree of Orrery's confidence and esteem. Somewhat like Mary Caesar, she also must have had knowledge of her 'employer's' Jacobite activities. Following Orrery's release from the Tower Mrs. Swordfeger exchanged personal letters with the

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<sup>182</sup>Jane Clark, 'The Mysterious Mr. Buck: Patronage and Politics, 1688-1745', *Apollo*, cxvii (1990), 317-22; and *idem*, 'Lord Burlington is Here', in T.C. Barnard and Jane Clark, eds., *Lord Burlington: A View Without Architecture*, (forthcoming, London: Hambledon Press, 1994); Blackett-Ord, pp. 89-90; R.F. Gould, 'Masonic Celebrities: No. vi.--The Duke of Wharton, G.M., 1722-23; with which is Combined the True History of the Gormogons', *Ars Quatuor Coronatorum, Being the Transactions of the Lodge Quatuor Coronatorum, No. 2076*, vii (1895), 114-55.

<sup>183</sup>For reasons which remain unclear, Burlington undertook an unprecedented sale of his Irish estates throughout the 1720s which continued unabated even after construction of the relatively inexpensive house at Chiswick was completed. These debts and the corresponding sale of many of his Irish estates are discussed in Dickson, 'Economic History of Cork', ii, 73-80.

Pretender.<sup>184</sup> By the mid-1720s she borne at least two of Orrery's children,<sup>185</sup> his paternity confirmed by the generous provision she and her children received in his will, to the disgust of his legitimate son and sole heir.<sup>186</sup>

It is probable that Orrery's arrest and commitment were partly due to his secretary's arrest. For some mysterious reason, Swordfeger inopportunately happened to be at North & Grey's London house when it was searched by messengers on 26 September,<sup>187</sup> and therefore he was apprehended a day before Orrery.<sup>188</sup> Swordfeger was examined on 29 September 1722, the day after Orrery's initial interrogation. His testimony is worth analysing in painstaking detail.<sup>189</sup> Swordfeger was evidently frightened and intimidated into excessive compliance with his interrogators' demands, and may have been exposed to the same treatment which John Semple encountered. Semple, who served as Sir Robert Sutton's butler in Paris, was terrorised during an examination conducted by Townshend, and offered a £500 pension if he would make revelations against Strafford, Cowper, Orrery, and others, and:

in Case of noncompliance Tortures & Death were painted to me in the most dreadfull Shapes...Gibbets, Racks and fire...Townshend returned to his furious temper wth frightfull Oaths and Execrations, he was Seconded by Walpole and Lord Carteret, the latters (sic) violence reached to fomeing in the Mouth, Handling me roughly, and giving me a blow in the breast'.<sup>190</sup>

That Swordfeger underwent similar intimidation is suggested by the results of his examination. Swordfeger was far too forthcoming for his master's good, linking Orrery with nearly every one of the most deeply-implicated conspirators, including Layer, Neynoe and John Plunkett. Swordfeger readily admitted to an acquaintance with Layer, whom he recalled meeting

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<sup>184</sup>RA, Stuart Papers 63/108; see James III's letter to her in *idem*, 70/89; Jacobite turned government informant, John Semple, later claimed that Simon Swordfeger told him that Mrs. Swordfeger was responsible for hiding and saving Orrery's papers at the time of the latter's arrest: BL, Add. MS 38504, ff. 126-27.

<sup>185</sup>Named Charles and Clementina, William Byrd served as godfather to one of the children in 1719: Byrd, *London Diary*, p. 295, entry for 17 July 1719. Two other children were born to Orrery and Mrs. Swordfeger later in the decade.

<sup>186</sup>For more details see below, Ch. 11.

<sup>187</sup>Boyer, *Political State*, xxiv, 313-14; *PH*, vii, 987.

<sup>188</sup>The clerk's unusual name was subject to various spellings at the time of his arrest and by scholars since then; Harris, *Life of Hardwicke*, iii, 123, quotes part of a newspaper report from 29 Sept. 1722 which rendered the clerk 'Swathfuger'. Drawing upon Williamson's 'Diary', p. 165, Fritz's more recent *English Ministers and Jacobitism*, p. 92, identified the secretary as 'Swerdfeger'.

<sup>189</sup>PRO, SP 35/39/35; PRO, SP 35/47/77; the examination was printed in *Report*, App. B35, p. 178.

<sup>190</sup>Semple's confession is in Herts. RO, Panshanger MS D/EP F186, ff. 9-12. One of Walpole's most active informants in the mid-1720s, Semple figures as a most valuable source for Orrery and Atterbury's Jacobite activities during that period and is discussed in greater detail in Ch. 10, below.

for the first time 'at Lord Burlington's where he drank with him in company with Mr. Thompson Lord Burlington's Chaplain', approximately a year and half prior to the examination. Perhaps most damaging for Orrery was Swordfeger's confession that after Layer's return from Rome, he had seen Layer at Orrery's house 'once or twice', which he then qualified by explaining that he 'seldom sees who comes to his Lord...[his own] Apartment being at a distance from those where his Lordship sees Company'.<sup>191</sup> Swordfeger continued by explaining to his examiners how he had also met none other than 'Mr. [John] Plunkett' at the same time, and how both Layer and Plunkett 'talk'd of their Travels...and of their having been at Rome'.<sup>192</sup> If Swordfeger met Layer and Plunkett for the first time at Burlington's, 18 months prior to 29 September 1722, that would place the meeting somewhere around March or April 1721. It may be worth pointing out, then, that this meeting corresponds almost exactly with the initial meetings between Sunderland and Orrery and other leading Tories in February 1721.

While Swordfeger denied knowledge of any memorials soliciting the Regent's support, the remainder of his testimony is corroborated by James Hamilton, whom Swordfeger unwisely mentioned by name as the person who had introduced him to Neynoe. Swordfeger admitted that Neynoe had used Orrery's personal library on several occasions to assist with articles for *The Freeholder's Journal*. Swordfeger's statements about Neynoe are identical to those contained in a detailed account Hamilton sent to the Pretender in 1723.<sup>193</sup> Neynoe's reports to Walpole and Swordfeger's examination prompted the issuance of warrants for Hamilton's arrest and forced his flight and temporary exile on the Continent.<sup>194</sup> Along with Swordfeger's examination the Commons *Report* published a Memorandum dated 27 September which the clerk rightly swore was in Orrery's handwriting. The memo was a list of errands his clerk had been instructed to perform while Orrery was in the country. One task read: 'When Mr. Lear comes to Town if he has any thing material to say to me, and will take the trouble of coming down to Brittel [sic] for a few Days, we may have a good opportunity there you may tell him to talk together'. Swordfeger further admitted he had delivered this message to Layer.<sup>195</sup> This

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<sup>191</sup>One wonders if this convenient arrangement was designed to prevent Swordfeger from detecting when Orrery was cavorting with his wife!

<sup>192</sup>*Report*, App. B35; *idem*, in PRO, SP 35/39/35.

<sup>193</sup>RA, Stuart Papers 100/45.

<sup>194</sup>RA, Stuart Papers 64/126; *idem*, 66/12.

<sup>195</sup>*Report*, p. 29. The memo is written beneath Swordfeger's examination in PRO, SP 35/39/35; and printed in *Report*, App. B35, p. 178. The original was checked by the present author and is indisputably in Orrery's handwriting. It is located in Walpole's papers in CUL, Ch (H) MS P 69/2, File B., No. 35, 'Papers Relating to Christopher Layer'.

memorandum would appear the single most damning piece of evidence associating Orrery and Layer. Swordfeger's confirmation of Orrery's handwriting would have been impossible for Orrery to counter, and the secretary's testimony here helps disprove Orrery's claims in his letters to Uxbridge and the 1724 letter about Layer's widow. The possible motive of Swordfeger's jealous revenge over his wife's position with Orrery is apparently ruled out by the fact that he remained in Orrery's service for another decade and travelled to Paris with him on another Jacobite mission in 1725.<sup>196</sup> Atterbury was later reported to disparage Orrery for showing 'his weakness so much in being attached to a lewd woman whose husband's indiscretion and weakness he was no stranger to'.<sup>197</sup>

Assessing the implications from the basis that Orrery was not deeply involved in the conspiracy, his own motives for wishing to see Layer could have been his desire to retrieve the incriminating receipts before Layer's own apprehension, which by the 27 September, had already occurred. Regardless, Swordfeger's testimony would appear to be of inestimable value. He would hardly have concocted a false story linking his own master with Layer, and it is all the more improbable that he would mention Orrery's noble (and ostensibly Hanoverian Whig) relative, Burlington, no less than three separate times in the examination. Swordfeger's meeting with Layer as well as Plunkett; the discussion of their recent trip to Rome, and the fact that this discussion occurred at Thompson's chamber at Burlington House, all must have placed some degree of culpability upon Burlington. Taken into account with Thompson's testimony, it may well establish an indirect connection--via Orrery and his secretary--between Burlington and none other than Layer himself.

Indeed, Thompson appears to be the missing link confirming Burlington's Jacobite activities, and thus his background and examination merit close analysis. Unfortunately, very little is known about him.<sup>198</sup> He seems to have associated with another Jacobite, Orrery's friend from Christ Church, Dr. John Freind.<sup>199</sup> Further information is provided by Lord Perceval, who recorded some extraordinary details about the questions posed to Thompson,

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<sup>196</sup>There is some evidence to suggest the marriage was one of convenience anyway: see below, Ch. 11, pp. 505-07.

<sup>197</sup>See the interview described in BL, Add. MS 38504, ff. 126-27. J.[ohn] Semple to Horatio Walpole, 25 Nov. 1725, N.S., in Walpole's letter to Townshend, 3 Dec. 1725, N.S.

<sup>198</sup>Originally from Cumberland, Thompson took a B.A. from Queens College, Oxford in 1705: *Alum. Oxon.*, iv, 1475. In 1724 following the Atterbury Plot, he was awarded the living of Broad Chalk, Wiltshire, which was controlled, interestingly enough, by Kings College, Cambridge. He appears to have held the living as an absentee until his death in 1752: Charles Bowles, *The History of Modern Wiltshire: Hundred of Chalk* (London: John Bowyer Nichols, 1833), p. 152.

<sup>199</sup>PRO, SP 35/34/41.

details corroborated by a comparison with the latter's examination in the Commons' *Report*.<sup>200</sup> Reflecting his pro-ministerial sympathies, Perceval described to his cousin how the clergyman had been questioned and the interrogators:

cou'd get nothing out of him. He was askt if he did not baptize a child of Lear's to which the Pretender Stood Godfather by Proxy, & whether 2 Lords were not present? He own'd the baptizing the child, but for the rest, Said he did not charge his Memory who was present or who was Godfather. He is the Same who at the time of Preston business when the Oathes were tender'd him desired in a jocose way they wou'd defer it for a week, because he did not know but he Shou'd then Swear to another person. When the messenger Search'd his chamber he found a Mass book in his Desk, whereupon asking him what he did with it, I compare the prayers with ours Said he & truly I think they are as good. They tell me besides that he has for Several months past pray'd for a gentleman in distress beyond the Seas.<sup>201</sup>

Since the whig Perceval's accounts of parliamentary debates throughout the 1710s and 1720s are generally accurate, there is no reason to suppose his comments about Burlington's chaplain are otherwise. Like Burlington and Orrery, Perceval held considerable estates and interests in Cork. Prior to 1714 he had served as MP for the County, and he and Orrery had occasional contacts regarding Irish politics as well as mutual social acquaintances.<sup>202</sup> Thus, Perceval would have possessed a keen interest in proceedings from the government investigation which implicated a fellow Irish peer and landlord of estates in County Cork.

A few days after he was mentioned by Swordfeger on 3 October 1722, Aaron Thompson underwent the examination Perceval described. The resulting signed statement, also printed in the Commons *Report*, supplies additional details which Perceval could not have known. Here we learn that Thompson referred to Swordfeger, who was evidently a Roman Catholic, as his 'intimate Acquaintance'. Thompson christened Swordfeger's own child (or at least a child to which his wife had given birth) at Orrery's London house and in the latter's presence. Thompson also admitted his connection with Layer, by dint of his presiding over the christening of Layer's infant daughter. Furthermore, Thompson's dates for his acquaintance with Layer are identical with Swordfeger's: both first met Layer around February 1721. Thompson feebly attempted to distance himself, however, when he claimed that Swordfeger and Layer 'met together accidentally' at Thompson's chamber at Burlington House and that he had absolutely no idea as to the 'consequence of that Acquaintance'.<sup>203</sup> Thompson took special

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<sup>200</sup>Which incidentally was not printed for another six months!

<sup>201</sup>BL, Add. MS 47029, ff. 135-36. Perceval to Charles Dering, 9 Oct. 1722.

<sup>202</sup>BL, Add. MS 47025, f. 93v. Perceval to Orrery, Cork, 4 Aug. 1708; for their acquaintances see Byrd, *London Diary*, pp. 235, 244, 247, 263, 334.

<sup>203</sup>PRO, SP 35/33/126; PRO, SP 35/39/12; *Report*, App. B12, p. 147. Thompson was bailed and released on the following morning: PRO, SP 35/47/77-78; BL, Add. MS 47077, f. 175v.

pains in his testimony to omit any references to Lord Burlington himself, and unlike Swordfeger, he mentioned the 'accidental' meeting at Burlington House only once. A nobleman's chaplain with any modicum of discretion would hardly reveal this much.

Another unsurprising aspect of the testimony is how Thompson and, to a far lesser degree, Swordfeger, attempted to shield Orrery from any close links with Layer. Thompson insisted he never introduced the two and saw Orrery only once when Swordfeger's child was christened, as opposed to Swordfeger's rather pathetic excuse about the distance of his apartment from Orrery's. Perhaps Thompson's most dubious statements are his attempts to explain his associations with Layer. Despite Thompson's efforts to camouflage the truth, it is clear that Layer came to Burlington House and requested his services for the christening in November 1721 upon his return from visiting James III in Rome. A careful reading of the examination also shows that it was Thompson who approached Swordfeger, after being asked to do so by Layer, with the request that the clerk would beg the favour of Orrery's presence as proxy for James III. And it can be asserted with conviction that Thompson was indeed the clergyman who christened Layer's daughter in the presence of both parents and the proxy god-parents, the Duchess of Ormonde and North & Grey.<sup>204</sup> It has been demonstrated that Layer always claimed that his primary link with Orrery revolved around arrangements for the christening and, Layer invoked Thompson's name in his testimony as the intermediary between the Duchess, Layer, Orrery, and Swordfeger. Thompson's own admission, therefore, linked him not only with Layer, but with North & Grey and the wife of the exiled Ormonde, one of the Jacobites' most important exiles. Moreover, Thompson's attempts to shield Orrery and Swordfeger by minimising the importance of the Burlington House meeting is contradicted by his actions and his previous testimony, which generally was more vague and revealed fewer details than Swordfeger's.

For Burlington's chaplain to undergo an examination by an anxious Walpole ministry growing increasingly desperate for the means to substantiate its arbitrary actions is not surprising. Surely it is quite another thing, however, to prove that Layer himself actually met with Thompson at Burlington House, possibly as Burlington and Orrery were in another room toasting their king over the water. For Burlington's personal chaplain to have been a suspected Jacobite and Roman Catholic non-juror would be sufficient to raise serious

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<sup>204</sup>*Report*, App. B11, p. 144; *idem*, App. B38, p. 147; PRO, SP 35/33/126. A newsletter of 29 Nov. 1722, several months prior to the publication of the Commons *Report*, reported that Thompson was under suspicion of performing the christening; BL, Add. MS 47077, f. 222.

questions. It may also say something for Layer's friendship with Thompson, as well as for Burlington's political influence, to point out that Thompson was never called to testify in Layer's trial. At the same time, the sections with Swordfeger and Thompson's testimony in the summary of the *Report* which was read aloud in the Commons omitted any specific mention of Burlington or his house. Instead, the meeting is simply designated as occurring in Thompson's 'Chamber'.<sup>205</sup> It is also interesting that when Layer was asked to name two clergymen to attend him in his final hours on earth, Layer requested Thompson's presence.<sup>206</sup> When Thompson's relationship with Layer, his role in the christening and his contacts with the Duchess of Ormonde and North & Grey are weighed in conjunction with the extraordinarily-coincidental timing and participants of the 'accidental' meeting at Burlington House, which, incidentally, was only a few streets away from Orrery's own London house, the implications are all the more striking. They would seem convincing enough to at least raise the eyebrows of even the most sceptical Whig historian. Admittedly, however, Burlington's presence at this meeting cannot be absolutely confirmed; nor is it possible to verify whether noblemen such as Burlington and Orrery would have fraternised with their social inferiors so freely. Orrery was quite well known for having few qualms about social inferiors,<sup>207</sup> and if Thompson and Swordfeger were serving as their masters' emissaries, Orrery and Burlington's presence is hardly material. Whatever the case, it is unrealistic to envisage the meetings occurring without Orrery's knowledge. As for their timing, Orrery might have been sounding out Burlington for advice on negotiations with Sunderland and discussing prospects for Jacobite restoration schemes.<sup>208</sup>

## VI

With Atterbury's banishment in the summer of 1723 and the conclusion of the government investigation into the conspiracy which bore his name, despite the fact that he had remarkably little to do with its conception, an era ended in Britain. The South Sea Crisis

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<sup>205</sup>*Report*, p. 35; *State Trials*, xvi, 365.

<sup>206</sup>Boyer, *Political State*, xxiv, 512. Both of Layer's choices were refused because they were non-jurors.

<sup>207</sup>Some of his closest friends, like Byrd, Cecil, and Lambard were not peers.

<sup>208</sup>For a detailed exploration of Burlington's possible Jacobitism and his links with Orrery see the present author's: 'Charles, 4th Earl of Orrery, Richard, 3rd Earl of Burlington and the Atterbury Conspiracy: A Case Study in the Dilemma of Jacobite Historiography', (forthcoming, London: Hambledon Press, 1996).



had helped place Walpole in power; he now proceeded to manipulate the press and terrify the nation with the spectre of Jacobitism in order to retain that power for the next two decades. The Plot named for Atterbury inspired a number of satirical poems and even an anonymous play,<sup>209</sup> but the Jacobites found little humour in its aftermath. Increasing Whig political patronage, a pervasive intelligence system, and the untimely deaths of several opposition figures compounded the sense of helplessness and paralysis of the English Jacobites after 1723, an incapacity evidenced by the inaction south of the Scottish border in 1745.

In the course of Walpole's prosecution of conspirators in the Atterbury Plot, Orrery was doubtless saved by a combination of lack of evidence and the covert intercession of several powerful politicians. An unnamed intimate of Orrery's (probably William Cecil) told James Hamilton that 'if any thing dangerous should be found against E. Orrery that Carleton and Argyll were determined to form an interest in the house of Lords to save him'.<sup>210</sup> Carleton's intercession on his behalf is certainly likely. It was reported in Oxford that Carleton 'was very much concerned at the apprehending' of his kinsman.<sup>211</sup> On the day of Orrery's arrest a suspicious letter circulated rumours that Carleton's dismissal or resignation from the Lord Presidency was imminent and that he had 'gone in discontent to the country'.<sup>212</sup> When Sunderland died there was speculation about Carleton attempting to succeed his deceased mentor, and it is possible that his association with Orrery thwarted his aspirations by rendering Carleton more suspect.<sup>213</sup> Argyll's actions in the debates over Atterbury's guilt fail to provide a definitive confirmation of this statement. Bitter personal rivals in the Lords in the late 1710s,<sup>214</sup> Argyll's vigorous support of the government's prosecution of the case against Atterbury does not necessarily contradict the course of action he might have followed had Orrery undergone the same fate.<sup>215</sup> None the less, it is interesting that the

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<sup>209</sup>One of the more popular is cited above, p. 344, variant copies of which can be found in BL, Add. MS 62558, f. 19; and BL, Add. MS 47128, f. 40v. The play is entitled: *The Plotters; A Satire. Occasioned by the Proceedings of the Earl of O\_\_\_ y, the Lord B. of R., the Lord N. and G. and Others* (London: for A. Moore, 1722).

<sup>210</sup>RA, Stuart Papers 63/33; *idem*, cited by Cruickshanks, 'Atterbury Plot', p. 102. In a letter to James III dated 13 June 1722, Semple described Carleton as a leading opponent of Walpole and Townshend: RA, Stuart Papers 60/25.

<sup>211</sup>HMC, *Portland*, vii, 335.

<sup>212</sup>PRO, SP 35/39/27; *idem*, printed in *Report*, App. B27, p. 175. (Anonymous letter) [George Kelly?] to [?], 27 Sept. 1722.

<sup>213</sup>Realey, *Early Opposition*, pp. 117-18 describes Carleton as possessed of too much of the timidity that seems to have been a Boyle trait.

<sup>214</sup>Bennett, *Atterbury*, p. 196.

<sup>215</sup>Harrowby MS, Diary of Sir Dudley Ryder, Doc. 20, R29, pt. 2. p. 7; BL, Add. MS 27980, f. 45; BL, Add. MS 34713, f. 65.

ties of his old friendship must still have run deep.

Forming a final assessment of Orrery's role in the Atterbury Plot necessitates a problem of definition and identification. The paradox for both Orrery and his former tutor is that there was no Atterbury Plot, at least not as portrayed by some recent historians and certainly not as presented by the Commons *Report*. Instead, there were at least three plots. The first one concerned Goring, North & Grey, Strafford, Arran, and a reluctant Atterbury. Orrery was also apprised of this scheme, although probably belatedly, and he seems to have been either sufficiently realistic or wary enough to realise it had little prospect of success. This main invasion plan was dropped by 1722 but residual plans and suggestive correspondence remained in such quantities that Walpole was able to mould his case together to make it appear as if an invasion was imminent during the summer. Layer's plan was the second, and, to some extent, overlapping scheme which was modified to complement the original plot. Layer was probably not, however, acting with official authorisation from the leading Jacobites in England, and certainly not with the Pretender's sanction. He remarked after Layer's arrest that although he sympathised with him, he never trusted or employed either Layer or Plunkett, reasoning that they came to Rome without 'any particular business at all, & I believe came chiefly out of curiosity'.<sup>216</sup> The christening and North & Grey's encouragement and evident military expertise, however, are evident in Layer's plans and establish their associations.

Orrery's own plan seems to have existed on several levels. In the spring of 1722 he was still contemplating procurement of French support, or at least permission to utilise Irish troops in the French service to launch the main scheme, therefore he could not have been isolated and unaware of its existence. Indeed, the timing of his request for a Lieutenant General's commission and his earlier appointment as a Lord Regent are too coincidental for this assessment to be true. It may be that his plans for securing the Irish forces were a prerequisite all along; and efforts to secure them and to raise additional money were an outgrowth of Orrery's abortive plans to finance the election of Tories and was then diverted to supply troops and induce foreign financial, if not military, backing. Perhaps the greatest irony concerning Orrery's involvement in the Atterbury Plot is outlined in a comment by his friend James Hamilton, who woefully lamented that if only the Jacobites:

had gon (sic) into E. Orrery's proposall in the spring to raise a quantity of money among the Company to be laid out in managing the elections and procuring a right house of Commons than (sic) the Government had been unhinged, but alas the Company

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<sup>216</sup>RA, Stuart Papers 63/68. James III to Dillon, 27 Nov 1722, N.S.

did not go into this project, Some said the method was tedious, others were confident of a rising and that the ferment in the nation would not admit of delays, in short for these and other reasons the generality rejected the Scheme, which now they heartily repent of for undoubtedly a good parliament would have been an excellent back dore in case of any misfortune of great service in the present juncture of affairs...[and] Parliament would have had a quite different complexion.<sup>217</sup>

An aforementioned recent study reasons that Orrery could be classified by 1721 as no more than on 'the fringe of the main Jacobite group'.<sup>218</sup> But Orrery and James Hamilton were close friends and in the deepest confidence,<sup>219</sup> and as the same study describes Hamilton as the best informed Jacobite agent in England, it is difficult to see how Orrery could not have been apprised of any schemes which were afoot. His reservations about an invasion with insufficient foreign military backing, which had become increasingly unwise with the transpiration of events, and the fact that he was endorsed in following a semi-independent course by James III, do not necessarily imply his unawareness and alienation. Rather, it would seem worth speculating whether other conspirators might have been jealous because of the very fact that he was empowered to follow a separate course and had gained James III's ear. If anyone in the English Jacobite hierarchy was becoming isolated by the summer of 1722 it would seem it was the contentious and dictatorial Atterbury, as Orrery's previously-cited letter clearly indicates.<sup>220</sup> Consequently, Orrery was already becoming the *de facto* leader of the English Jacobites prior to the Bishop's imprisonment and banishment.

Orrery's position among the Jacobites was unique. The Pretender took great pains to prevent his estrangement and Orrery always seems to have possessed a certain special degree of his attention and intimate respect that are lacking in much of the correspondence in the Stuart Papers. Orrery was hardly oblivious to the more reckless Jacobites' schemes, but the alternative solutions he offered lacked sufficient dynamism for men of action such as Strafford and North & Grey. Probably among the Pretender's most sober and realistic advisers, Orrery was more pragmatic than most Jacobite leaders, preferring instead to cooperate with leaders like Cowper and to operate independently within the existing political system in attempts to raise funds and thereby alter the complexion of parliament to ensure that an invasion attempt stood a reasonable prospect of success. Moreover, unlike many English

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<sup>217</sup>RA, Stuart Papers 63/33; Cruickshanks, 'Atterbury Plot', p. 102.

<sup>218</sup>Jones, 'Jacobitism and the Historian', p. 688, n. 28.

<sup>219</sup>In 1722 Hamilton described himself as Orrery's 'sole confidant': RA, Stuart Papers 62/157.

<sup>220</sup>See above, p. 356.

Jacobites, he actually possessed some knowledge of and influence with Scottish Tory and Jacobite peers and politicians; had a similar influence been more widespread among his fellow conspirators, it might have translated into enhanced prospects for a successful, coordinated, bilateral attempt at a Stuart restoration.

Orrery was undoubtedly an avid Jacobite, but he was almost certainly more of an aristocratic liaison figure, an *eminence grise* who (before 1723) adroitly moved in and out of circles which included Argyll, Ilay and the Hanoverian Tories, all the while feigning support for the Prince of Wales and supplying reports to Rome. Orrery's activities concentrated more on operating behind the scenes, gathering information about possible, potentially decisive converts such as Argyll, and canvassing votes on Tory measures in the Lords, a position similar to the one he had occupied in 1710. If being on 'the fringe' indicates isolation and insignificance, then Orrery cannot be described in such a manner. On the other hand, if it means a discreet conspirator who was truly intellectual and conservative, who retained a rather exalted status, whose actions were more often than not characterised by prudence, a conspirator who was perhaps too realistic to ever communicate fully with his counterparts, then he can be thus placed. Though the Jacobites were admittedly bereft of talented leaders in the wake of the Atterbury Conspiracy, the Pretender's retention of Orrery as director of his affairs in England after Atterbury's exile must demonstrate some degree of favour as well as an appreciation of his abilities. Unfortunately, for Orrery as well as for the Jacobites, the later 1720s proved to be years of despair and increasing debility.

## Chapter 10: The Jacobite 'Jeremiah', 1723-1731

It is not an extravagant computation, I believe, that four in five of the whole nation wish well to you, but people of reflection and fortunes will hardly venture their lives and estates unless they see they have some tolerable chance to succeed, and soldiers will hardly desert unless there be a body of soldiers to desert to. RA, Stuart Papers 70/47. Orrery to James III, 15 Nov. 1723, O.S.

The Jacobites are, by time, oppression, their own follies and Heaven's will, become the lowest and most insignificant Faction in England- Miserable, like their Sovereign, they breath [sic] but they cannot be said to live - Their party was once a Mountain. It's now a Molehill -Great Quantities of Liquor serve as a constant cordial to keep up their drooping spirits. They are bold and resolute in their Potations. Sick and sad when the fumes are past. Whenever a man ceases to love Drink and midnight hours, he ceases to be a Jacobite, or, in their own phrase "He is no longer honest" . Must not a foreigner imagine honesty to be a synonymous term for Drunkenness?...They themselves without any assistance are enough, and have the art, to ruin their own cause. A cause now only propt up, by the weak supports of raw unexperienced Academicians, and doating old women. Some, however, among the partisans are of higher rank and more consequence. But why are they Jacobites? Either because under no other denomination, they could be taken notice of, or from a desire of drawing a little Senate after them, whose adulation and addresses are proper food for pride, vanity and emptiness. OPH, MS Eng. 218.12. Commonplace book of the 5th Earl of Cork and Orrery, 1755.

The British government's successful prosecution of the Atterbury Conspiracy and its aftermath constituted a definite turning point in the history of English Jacobitism. A completely unscrupulous Robert Walpole had staked his political career and entire reputation on convincing the nation that his arbitrary measures were justified. The farther he exceeded the parameters of the law and political prudence, and the more blatantly constitutional restraints were violated, the more essential it became to bolster his 'case' against the accused plotters at any cost and to discover some means whereby to forestall his political ship from being overcome by the maelstrom of parliamentary and popular reaction to his methods. In this Walpole was successful. There are numerous cases of outright deception in his individual contacts with Jacobite agents and informants, and his intelligence system spread its tentacles across Europe in an ever wider net of surveillance against Jacobite activity. After overawing the country into submitting to his unrestrained freedom of action against the slightest hint of subversive activity, he perpetuated an atmosphere of alarm and paranoia by constantly reminding the public of the largely fictitious plots of 1722 and, therefore, subtly suggesting that others might suffer the fate of a martyred barrister and native of Walpole's own Norfolk.

Walpole's virtual *coup de grace* in the fight against Jacobitism in 1723 was Atterbury's banishment, which greatly enhanced Orrery's stature and importance among James III's followers during a period of increasing decline in the latter's popular support. Despite

Orrery's brush with death and his long imprisonment, he assumed the position as head of the Jacobite movement in England. Changes in the international diplomatic situation in 1725 produced heightened tensions between Britain, Austria and Spain and momentarily supplied the Jacobites with a glimmer of hope that they might finally obtain the foreign support sought for so long. To facilitate this hope, a now openly avowed Jacobite Duke of Wharton was dispatched to Vienna, as was Orrery himself on yet another mission to Paris, but neither journey produced its intended results, partly because of the personal failings of the emissaries. After returning to England in 1726, Orrery maintained his Jacobite activities up to and including the early years of George II's reign. A claim that Orrery surrendered to the court and accepted a Hanoverian pension is largely unconfirmable, and he remained active in the formulation of Jacobite schemes, as well as a stubborn, nearly lone, opponent of court motions in the Lords, until his death in August 1731.

# I

Concurrent with his increased importance as a Jacobite, Orrery soon gave evidence of assuming the leadership of the crumbling opposition movement in the Lords. The Cabal led by Lord Cowper had remained resolute during the autumn of 1722 and early 1723 by its opposition to every measure pertaining to the suspension of Habeas Corpus, Orrery and North & Grey's imprisonment, Lyster's trial and those of the other conspirators. With the publication of lists of the members of 'Burford's Club',<sup>1</sup> this support had waned somewhat, but it should be said that Cowper was believed to have delivered some of the most brilliant and persuasive speeches of his career during the trials of George Kelly and Atterbury.<sup>2</sup> The latter's banishment and Cowper's death in 1723, however, undeniably robbed the opposition of some of its most powerful and charismatic orators.<sup>3</sup> Tories and Jacobites alike were further

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<sup>1</sup>Timberland, iii, 243-63; *LJ*, xxii, 153-54; and above, Ch. 9, pp. 374-75.

<sup>2</sup>In 1724 Mary Caesar wrote that 'Cowper spoke so Moveingly Upon the Bill Against Kelly that hardly One of the Whig Lords Could help Shedding Tears But They were Like Crocadels who Allways do so before they Devour a Man': BL, Add. MS 62558, f. 13. Perceval's cousin made similar reflections about speeches in the Commons in the division over Atterbury's pain and penalties, observing that the Tories 'spoke sadly as if they were mumbling thistles': BL, Add. MS 47029, f. 162. Dering to Perceval, 12 March 1723.

<sup>3</sup>Bathurst was devastated by Cowper's death, describing it as a 'loss not to be repair'd to ye Publick in ye foremost Age': Herts. RO, Panshanger MS D/EP F223, f. 3. Bathurst to John Clavering, 13 Nov. 1723. For comments on the significance of Cowper's death see HMC, *Lyons Collection*, i, n.p. Francis Annesley to King, 21 Jan. 1724.

disheartened a few months later with news of Oxford's death.<sup>4</sup> Possibly unnerved by suggestions of his implication in the Atterbury plot by his own chaplain's indiscretions and by the mere fact of Orrery's imprisonment, Burlington was also believed to have joined the court in 1723.<sup>5</sup>

With the opening of the session on 14 January 1724 Orrery returned to the House of Lords after an absence of nearly two years came. Aside from the usual nominations to minor committees, his attendance was inconsistent and marked by absences about half the time that Parliament sat.<sup>6</sup> Following a heated verbal attack on the court by Wharton,<sup>7</sup> Orrery did sign a protest against the third reading of the government's Mutiny Bill on 16 March 1724, but he attended the Lords more infrequently as the year progressed, sitting only six times between November 1724 and 12 February 1725.<sup>8</sup> His absences were understandable, for there was little to which the opposition peers could look forward. He described the domestic political situation to the Pretender in gloomy terms:

[With a] great and determined majority for anything they think fit to propose, which is owing to the vile tricks they have used to get their creatures in Parliament & to that wretched corruption which too much prevails...many Tories in the house absented & those that were present had little or no concert amongst themselves & except in the bus'ness of the Army thought it worth while to make any opposition'.

He concluded that many Jacobites believed meetings were pointless without firm assurance of foreign military support, instead convinced that most Tories preferred 'to lye Still and to give no provocation'.<sup>9</sup>

Orrery's attendance in the 1725 session saw little improvement and his apathy manifested his dissolution. He and the dozen or so peers who comprised the remainder of the Cabal signed another Mutiny Bill protest in March 1725,<sup>10</sup> as well as several protests on measures affecting the regulation of elections in the City of London.<sup>11</sup> The group's interest reflected

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<sup>4</sup>RA, Stuart Papers 74/137.

<sup>5</sup>Burlington is on a ministerial pre-session canvassing list dated 14 March 1723, the exact same date Orrery was released from the Tower: PRO, SP 35/42/200; and Cruickshanks, 'Burlington', p. 8. Nevertheless, Burlington still maintained ties with his Jacobite kinsman and in 1729 served as godfather to Orrery's grandson and namesake: OPH, MS Eng. 218.2, i, 110. John, Lord Boyle to Kempe, Leicester Fields, 21 Feb. 1729.

<sup>6</sup>*LJ*, xxii, 233, 247-49, 273-76.

<sup>7</sup>For his speech see *Timberland*, iii, 410-13.

<sup>8</sup>*Protests*, i, 355-56; *LJ*, xxii, 286, 346-416.

<sup>9</sup>RA, Stuart Papers 74/58. Orrery to James III, 10 May 1724, O.S.

<sup>10</sup>*Protests*, i, 356-57; *LJ*, xxii, 455. Throughout the mid-1720s the maximum number of frequent protesters hovered at around 12-15, as opposed to an average of around 25 before 1723 during Cowper's leadership of the group. For Wharton's speech on the Mutiny Bill on 16 March see *Timberland*, iii, 410-13.

<sup>11</sup>*Protests*, i, 357-63; *Timberland*, iii, 421-23; *LJ*, xxii, 498-99. Wharton, Strafford and

fairly extensive involvement by colleagues of Orrery's such as Wharton and Strafford, who had become immersed in City politics,<sup>12</sup> particularly after Atterbury's exile, and may to a similar degree have reflected Orrery's resumption of efforts to raise money among City merchants and bankers. Another court measure pertaining to the redemption of annuities on the Civil List revenues was protested on 19 April by Orrery, Strafford and two other peers.<sup>13</sup> More importantly for the Jacobites, Orrery, along with Strafford, Wharton and three other diehard peers, protested a bill on 3 May 1725 for the disarmament of the Scottish Highlanders.<sup>14</sup> This bill obviously had important implications for any prospects of a successful Jacobite restoration attempt,<sup>15</sup> and its passage exemplified the opposition's weakness. Orrery bitterly informed the Pretender:

I would have had the King's friends oppos'd it vigorously especially in the House of Lords but I cou'd not prevail to get many even to attend. I thought it fit to protest & I was forc'd to draw it myself, few could sign it because few were at the debate wch was very slight too; in this indolent & careless manner are most of our affairs manag'd.<sup>16</sup>

Orrery attended the Lords for the presentation of a petition concerning the estate of his late friend, John Sheffield, Duke of Buckingham,<sup>17</sup> who died in 1721.<sup>18</sup> Orrery also appears to have reminisced about his old friendship with Bolingbroke fondly; he avoided joining the few lords who protested the repeal of Bolingbroke's attainder on 22 May 1725, and a protest against the restoration of his estates,<sup>19</sup> absenting himself from the House during the three

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Lord Coventry added three additional reasons for their protests of the bills.

<sup>12</sup>BL, Add. MS 32686, ff. 265-66; RA, Stuart Papers 79/131, and 80/84; also Mahon, *History of England*, ii, Appendix, xxi-xxii; and Realey, *Early Opposition*, p. 145. Wharton's influence in the City was viewed as potentially a 'chief instrument' in a Stuart restoration: RA, Stuart Papers 79/17. James Hamilton to John Hay, 6 Jan. 1725, N.S.

<sup>13</sup>*Protests*, i, 363-64. *Timberland*, iii, 426, lists only Orrery, Strafford, and Lord Bruce.

<sup>14</sup>*Protests*, i, 364-67; *PH*, viii, 466-68.

<sup>15</sup>They believed it was a scheme of Argyll's to dominate Scotland: *Memoirs of Atterbury*, ii, 118.

<sup>16</sup>RA, Stuart Papers 82/18. Orrery to James III, 7 May 1725. Wharton, Gower, Lichfield and Scarsdale were among those who joined Orrery on the protest, while Strafford was evidently one of the 'indolent': *Timberland*, iii, 428-29.

<sup>17</sup>*LJ*, xxii, 529. John Ward, Esquire, apellant, *The Most Noble Edmund Duke of Buckinghamshire ... Charles Earl of Orrery, George Lord Willoughby de Brooke, ... Respondents*, [London?,: n.p., 1725], 'Cause Heard before the House of Lords, 4th day of May 1725'; *Diary of Sir Edward Knatchbull*, pp. 41-42.

<sup>18</sup>*Calendar of Treasury Papers, 1720-1728*, vi, 320. Orrery was an executor of the duke's will and a trustee for his young heir, as well as close friends with the Dowager Duchess, Catherine, a notorious Jacobite and the natural daughter of James II: BL, Add. MS 62558, f. 46.

<sup>19</sup>The protest on the first motion was signed by only three peers: *Protests*, i, 368-72. If Orrery had any contacts with Bolingbroke after his return they cannot be determined. Orrery was reported as saying in 1726 that Bolingbroke had 'lost his Soule' and that he would never be capable of significant political action because of the 'the slights he meets with': BL, Add. MS 32745, f. 62.



days when the votes were taken.<sup>20</sup> Debates over corruption charges against Lord Macclesfield dominated the Lords session of 1725, and Orrery joined Wharton and Strafford, determined opponents of a ministerial vote on Macclesfield being tried at the bar of the House, in presenting two protests.<sup>21</sup> From 10 May until the session's conclusion in the summer Orrery was absent, thus he seems not to have participated any further in the lengthy debates on Macclesfield's guilt.

None the less, a concerted, viable opposition was increasingly difficult to maintain in the years after 1723 and support subsided rapidly in the Lords, where every defection was crucial. Lords Bathurst and Gower,<sup>22</sup> 'weary of the situation they were in',<sup>23</sup> had both begun to make entreaties to the government in 1723, and by late 1724 or early 1725 they, along with Abington and Anglesey,<sup>24</sup> were among several of Orrery's opposition comrades who had either retired in frustration or were thought to have defected and were 'given over' to the ministry.<sup>25</sup> Bathurst's defection is particularly relevant to a discussion of Orrery, for according to one source, it prompted one of the few recorded instances of his delivering a speech in the Lords. In a rather confusing account of opposition activity in 1725, Mary Caesar wrote that motions against Macclesfield and other court measures were opposed 'Most Strenuously' by Wharton, Strafford and 'Orrery, that Lord Speaking of Lord Batterest [sic Bathurst] behaviour this Winter and the Excesses He Made for it. Lade His Hand On His Brest Saying He is Not Easy Here Nor can any Man be so but in Knowing He Does His Duty'.<sup>26</sup>

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<sup>20</sup>Orrery also avoided the debates on Bolingbroke's attainder and estates on 20-24 May: *LJ*, xxii, 547-52; Dickinson, *Bolingbroke*, pp. 178-80; Realey, *Early Opposition*, pp. 172-75. Wharton warned the Pretender that the vote would produce 'dissension amongst your friends': RA, Stuart Papers 80/84, 25 Feb. 1725; for predictions of similar conflicting loyalties and a 'fatal' breach in the Commons see *idem*, 81/145; and *Diary of Sir Edward Knatchbull*, pp. 46-48.

<sup>21</sup>*LJ*, xxii, 517; Timberland, iii, 426-28; *Protests*, i, 373-74.

<sup>22</sup>Bathurst was thought to have been indebted for over £25,000 to the young Duke of Buckingham: HMC, *Portland*, vii, 401. Wharton informed James III that Bathurst was 'entirely departed from your cause, though he will not yet leave us in Parliamentary disputes': Mahon, *History of England*, ii, Appendix, xxxi.

<sup>23</sup>Coxe, *Walpole*, ii, 264.

<sup>24</sup>In 1723 Orrery encouraged the Pretender that when notified the time was right he should write to Anglesey, since the latter was the most likely candidate to assume the reins of the Tory Party, but it is unclear whether that earl was ever contacted: RA, Stuart Papers 71/137. James Hamilton to James III, 31 Dec. 1723.

<sup>25</sup>In early 1725 the Pretender learned through Wharton that although Gower was still 'very honest', Anglesey had retired to the country in disgust over Tory plans to vote in favour of Bolingbroke's title restoration, while Lord Guilford had accepted a 'trifling pension' and joined the court: RA, Stuart Papers 80/84. Wharton to James III, London, 25 Feb. 1725, O.S. For Abington's defection to the court in 1725 see *Memoirs of Atterbury*, ii, 124; and RA, Stuart Papers 81/172.

<sup>26</sup>BL, Add. MS 62558, f. 21. Bathurst continued to protest with the remnants of the opposition in 1725-1726, but he was largely written off as a Jacobite. James Hamilton remarked

The exiled sovereign whom Orrery was attempting to restore was anxious to resume their correspondence after Orrery's release from the Tower. Despite widespread and quite justified concern about caution and government surveillance which the Pretender fully endorsed,<sup>27</sup> Orrery instructed Simon Swordfeger to arrange a meeting with James Hamilton and Orrery's instructions to Rome were then relayed through Hamilton.<sup>28</sup> Orrery reported with great satisfaction, that as far as he could determine, nothing had been discovered of his Jacobite correspondence. Even so, he thought that until he heard from Rome it was 'prudenter in me to be Silent'.<sup>29</sup> The silence was not broken until July 1723. Professing his 'fidelity and zeal' and his 'unalterable resolution not to depart from your Interest', Orrery confirmed James III's reports that 'nothing of our correspondence' had been discovered and further explained that he was unable to correspond 'because I was forc'd to destroy every paper I had about your affairs, so that I can neither write nor receive any letter in cypher'. His letter concluded by proclaiming that 'the late cruel and Senceless proceedings of your enemys have encreased the number of your friends and have made those that were so before more determin'd than ever to venture upon any proper occasion'.<sup>30</sup> By the autumn James III was describing a 'very kind' letter from Orrery that expressed 'affection and even hopes'.<sup>31</sup>

Maintenance of adequate security measures was a viable concern which was exercised with greater skill by some leading Jacobites than others. Orrery was positive that he engaged in:

a good deal of risque very often, both by speaking by writing, because the ministers took me up without having the least thing of consequence against me and having injur'd me so grosly they think I can never Forgive them and therefore they will probably watch all my motions very closely, especially being persuaded that from my natural reservedness and Silence tis pretty difficult to find anything out against me, tho' they think me capable of doing them much mischief.<sup>32</sup>

Other Jacobite conspirators, both major and minor figures alike, were less circumspect. For all Atterbury's arrogance and self-righteous intellectual superiority, he was manipulated and

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upon Carleton's death that that 'close, wise and dangerous enemy' had been responsible for buying off Bathurst: RA, Stuart Papers 81/7. Hamilton to Inverness, 19 March 1725, O.S.; cf. CUL, Ch (H) MS Corr. #1318; and for Bathurst's continued interest in protesting measures in the Lords, see BL, Add. MS 31141, ff. 327-28.

<sup>27</sup>RA, Stuart Papers 67/139, and 68/66.

<sup>28</sup>Orrery's emphasis on secrecy and fear of apprehension are exemplified in the fact that Hamilton was notified that Orrery and Caesar wanted 'an hour' with him: RA, Stuart Papers 69/47. James Hamilton to James III, 28 Sept. 1723.

<sup>29</sup>RA, Stuart Papers 66/173. James III to James Hamilton, 24 April 1723.

<sup>30</sup>RA, Stuart Papers 68/27. Orrery to James III, 31 July 1723.

<sup>31</sup>RA, Stuart Papers 69/14. James III to John Hay, 18 Oct. 1723.

<sup>32</sup>RA, Stuart Papers 70/47. Orrery to James III, 15 Nov. 1723. The original version of the letter is *idem*, 70/46, and is entirely in numerical cipher.

tricked almost as soon as he set foot on the Continent by John Macky, one of Walpole's veteran spies.<sup>33</sup> Furthermore, Macky gained Atterbury's confidence through the deception of one Mr. Hughes, evidently the Anglican cleric John Hughes, who served as Orrery's chaplain and was sent abroad with Atterbury temporarily to help him adjust to life in exile in Brussels and introduce him to members of the Flemish nobility.<sup>34</sup>

Some leading Jacobites were heartily surprised at Orrery's resumption of correspondence, an act that was almost considered boldness on Orrery's part,<sup>35</sup> but any doubts or suspicion about his ardour for the Jacobites' cause must have been dispelled by his actions and his next few letters to the Pretender. Orrery wasted little time before he was again immersing himself in plots and treasonable conspiracies. An important letter written from this period indicated that he had been approached by an agent sent by Dillon. After verifying his character and identity, Orrery met secretly with the unnamed character and learned of a new scheme which would use Scottish Highlanders under Dillon's command. Describing the plan in painstaking detail, Orrery told how it was founded on the presumption that the 'highlanders were armed and ready to rise, that at least ten thousand of them might be depended upon'. The Pretender was to land in Scotland and then 'come into England with them'; followed by Ormonde who would 'be ready about the same time to land in England where it should be thought proper with some land officers and some soldiers...of five or six hundred of each, that about Sixteen thousand armes were ready beyond Seas and Shipps to transport them'. The plan was supposedly stalled because £40,000 was lacking for Ormonde, yet when Orrery was pressed to give his opinion of its overall feasibility he minced few words: 'as things now are, [it] was by no means to be ventur'd upon.' The 'chief foundation of any reasonable project', the essential component of a foreign invasion force, was still missing from this plan. Despite Orrery's belief that 'four in five of the whole nation wish well to you', he went on to

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<sup>33</sup>Macky wormed his way into Atterbury's confidence by impersonating a pro-Jacobite art dealer. Macky supplied detailed reports of the exiled bishop's stay in Brussels until his death in 1724: Fritz, 'Anti-Jacobite Intelligence', pp. 274-75, 281; Bennett, *Atterbury*, p. 277.

<sup>34</sup>RA, Stuart Papers 69/44. Not to be confused with the playwright of the same name, Hughes had received a living of £200 a year from Atterbury in 1722. He had returned to England by the middle of September 1723: BL, Add. MS 27980, f. 66; BL, Add. MS 32686, ff. 328-29. Macky to [Robert Walpole], Brussels, 18 Sept. 1723, O.S.

<sup>35</sup>After meeting with Atterbury in Brussels, the Jacobite Secretary of State, John Hay, related that Atterbury had expressed 'such a notion of that person's [Orrery's] caution, or rather timidity, that he did not believe he would brake (sic) the ice': RA, Stuart Papers 70/40. Hay to James III, Liege, 15 Nov. 1723. Unless Orrery was somehow able to sneak his way to Flanders undetected in the following weeks, Hay evidently journeyed across the Channel himself soon thereafter and met with Orrery. A month later Hay reported meeting with 'Nisbet', which was one of Orrery's cant names, and finding him 'very open': RA, Stuart Papers 71/117. Hay to James III, Paris, 27 Dec. 1723.

identify eloquently the fatal pitfalls of the 80 years of efforts to restore the Stuarts:

people of reflection and fortunes will hardly venture their lives and estates unless they see they have some tolerable chance to succeed, and soldiers will hardly desert unless there be a body of soldiers to desert to. Those that govern at present are generally despised and abhorred, but their power is too great not to be feared and it is the more feared because they are cruel, without principles, and act in the most arbitrary manner without regard to the known laws or constitution...still another and perhaps a greater disadvantage that your cause lies under, which is the indolence, inactivity and almost despair of many of your chief friends...I could wish that they would endeavour to lull the Government as it were asleep, and to make them think there no farther thoughts of designs against them.<sup>36</sup>

Orrery's outright rejection of any scheme of which he disapproved was to be repeated several times in the eight years which followed. Although increasingly secretive and timorous personally, Orrery asserted a growing conceit and confidence in his own abilities and the validity of his decisions and opinions. The same November 1723 letter cited above apprised the Pretender that since 'few of your chief friends are very capable', Orrery and two other supporters who were 'very zealous for You and do not want judgement' had concurred about the Dillon scheme's poor prospects for success. James III was further notified that 'a good Body of Regular Troopes' and 'a considerable Summ of monie in Bank' needed to be at the Jacobites' disposal. Orrery reflected that 'If last years affair had not happen'd, I have reason to believe I should have procur'ed a good Summ for you; but that Unhappy business has retarded, I doubt, The procuring of monie', and in future moneyraising efforts would 'require a letter by itself to give my objections at large' to a scheme such as the one Dillon had proposed 'and to lay before you the Scheme I think you may reasonably go upon'.<sup>37</sup>

The British government's concerns about the Jacobite threat in the years after 1723 did not abate. Walpole and Townshend's unrelenting vigilance and anxiety over the possibility of another Jacobite conspiracy were spelled out to George I in the plainest terms. Townshend especially was often at loggerheads with George I over the potential danger, domestic criticism and the 'Topicks for Sowing Sedition' caused by the king's frequent visits to Hanover. Attempting to persuade him to remain in Britain during the summer of 1723, Townshend argued that the Jacobites were 'still very Strong, and their Views only Suspended in Expectation of a favourable Opportunity'.<sup>38</sup> Yet a growing sense of virtual hopelessness among the Lords opposition and the cloud of oppression hanging over the heads of the leading Jacobites in England in 1724 was widely reflected, Orrery's correspondence included. His

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<sup>36</sup>RA, Stuart Papers 70/47. Orrery to James III, 15 Nov. 1723; *idem*, partly printed in Mahon, *History of England*, ii, Appendix, xix-xx; and quoted in Haile, p. 297.

<sup>37</sup>RA, Stuart Papers 70/47.

<sup>38</sup>See Townshend's memo to George I in HMC, *Tenth Report*, pp. 427-28.

obsession with secrecy was compounded and the Pretender abided by his requests to make Orrery's cipher available only to a handful of people he himself had specified.<sup>39</sup> Inundated with cautious letters lamenting the uselessness of meetings among Jacobite leaders without foreign assistance and urging secrecy and minimal correspondence,<sup>40</sup> and perhaps wary of losing Orrery's support entirely as he had warned in 1720,<sup>41</sup> Orrery's sovereign sanctioned patience and the need to limit communication until the anxiety and danger had abated. Orrery was not to 'expose yourself' unnecessarily,<sup>42</sup> and the year 1724 passed with far fewer letters sent between Orrery and the Continent. Many cant names which had been used for several years were changed and lists revised. Letters sent by Orrery himself were now invariably composed entirely in numerical cipher,<sup>43</sup> whereas beforehand they had been composed by James Hamilton or Simon Swordfeger with only personal names and certain words disguised.

There were also other notable changes in Jacobite affairs in Britain and abroad. The year 1724 saw the appointment of John Hay, later created Earl of Inverness in the Jacobite peerage, to the *de facto* position of Jacobite Secretary of State previously held by Mar.<sup>44</sup> Inverness's first letter to Orrery dates from 19 August 1724 and was very cordial and full of assurances of respect and cooperation.<sup>45</sup> In Paris, the deaths of Dubois and Orleans supplied a brief false hope that it might translate into a change in French policy toward assisting the Pretender.<sup>46</sup> Rumours of a scheme afoot utilising French assistance abounded in the summer of 1724, but it was a complete mystery to James III and his chief adviser in Rome, and evidently only another example of Dillon's wishful thinking and possibly Mar's treachery.<sup>47</sup>

There were also problems for the Jacobites with what in the late-twentieth century might be termed public relations. Several events from abroad raised the Jacobites' spirits in 1725. Express dispatches which heralded news of the birth of the Pretender's second son Henry also

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<sup>39</sup>RA, Stuart Papers 72/118.

<sup>40</sup>RA, Stuart Papers 74/58, 60.

<sup>41</sup>See above, Ch. 8, p. 321.

<sup>42</sup>RA, Stuart Papers 73/90.

<sup>43</sup>For example, see Orrery's letters to James III in RA, Stuart Papers 74/58, 126.

<sup>44</sup>RA, Stuart Papers 76/137. James III to Ormonde, 7 Sept. 1724.

<sup>45</sup>RA, Stuart Papers 76/50. Hay to Orrery, Rome, 19 Aug. 1724, N.S. Orrery rendered assistance to Hay's wife in 1724 when she was imprisoned upon visiting England: *cf. idem*, 77/12, 78/16, and 80/65.

<sup>46</sup>CUL, Ch (H) MS Corr. #1087; Coxe, *Walpole*, ii, 262.

<sup>47</sup>RA, Stuart Papers 77/141. On 23 September Hay wrote to James Hamilton that he was 'entirely a stranger to the Project you mention' and expressed similar unfamiliarity in his first letter to Orrery: *idem*, 77/12, and 76/50.

announced that James III had created Hay Earl of Inverness and declared him Secretary of State.<sup>48</sup> Yet far graver news emanated from Rome near the end of 1725. Jealous of her husband's Protestant courtiers, their son's tutors, and rumours of her husband's attentions to Lady Inverness, the Jacobites' queen, Maria Clementina, gathered up her children and in a fit of rage, fled to a convent. This embarrassing situation persisted and prompted remarks and reflections from Jacobites and Hanoverian supporters alike, leaving the Jacobites disheartened throughout 1725-1726.<sup>49</sup> The prolonged separation lent additional credibility to stories of the Pretender's affair with Lady Inverness.<sup>50</sup> The nagging question of the Duke of Mar persisted as well. Although officially excluded from Jacobite affairs and the Pretender's confidence, Mar remained an influential figure among some conspirators based in Paris in the 1720s. Atterbury reported seeing in Mar's papers that he had received a British government pension since 1720.<sup>51</sup> Despite years of warnings about his treachery, leaks of information, and similar damning evidence about Mar's pension,<sup>52</sup> orders for severing all ties between the Pretender's other leading followers and Mar were not issued until 1724.<sup>53</sup> Along with Ormonde and Hay, Orrery was informed he was to relay news that Mar was not to be trusted to other confidants in England.<sup>54</sup> A few months later Orrery received a similar letter announcing James III's withdrawal of confidence from Dillon because of Mar's overpowering influence on him.<sup>55</sup>

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<sup>48</sup>PRO, SP 78/181/48. Horatio Walpole to Delafaye, Paris, 21 March 1725, N.S.

<sup>49</sup>BL, Add. MS 38504, ff. 152, 158-59; *Lockhart Papers*, ii, 220-21, 243-45, 276-78, 339-40; HMC, *Portland*, vii, 408. Stratford to Oxford, 14 Dec. 1725; RA, Stuart Papers 88/3. James Hamilton to Inverness, London, 8 Dec. 1725, O.S.

<sup>50</sup>*Lockhart Papers*, ii, 220-22.

<sup>51</sup>*Memoirs of Atterbury*, ii, 206; cf. *Lockhart Papers*, ii, 202, who claimed that Mar admitted receiving an annual £2,000 pension by Feb. 1721. In 1727 Orrery's old friend Lord Ilay attempted to intercede with the government to secure a pardon for Mar: NLS, MS 1008, f. 43; CUL, CH (H) MS Corr. #1548.

<sup>52</sup>RA, Stuart Papers 69/85. Upon learning in 1723 that Mar 'has had a pension for some time', the Duke of Atholl wryly observed that 'considering his behaviour and mine in 1715, It is surprising to find his Lop. had gott the start of me (on any consideration) in this government, but these are Court misterys and Politicks which we Country folks can not easily fathom': NLS, MS 14421, f. 50. Atholl to Tweeddale, Huntingtower, 17 April 1723.

<sup>53</sup>RA, Stuart Papers 78/94. James III to Orrery, 15 Dec. 1724. Atterbury berated the Pretender's confidence in men such as Mar and Dillon in 1725, cautioning that 'the hands you are pleased to employ, weak as they are of themselves, will be more weakened, and made incapable of doing you even that little service that might be otherways in their power': *Memoirs of Atterbury*, ii, 69. Atterbury to James III, 29 Jan. 1725.

<sup>54</sup>RA, Stuart Papers 76/132. James III to Atterbury, 3 Sept. 1724; *idem*, partially printed in Glover, *Letters of Atterbury*, i, Appendix, p. 96; also *Lockhart Papers*, ii, 131. Orrery received a full explanation of the reasons for Mar's removal in RA, Stuart Papers 79/91.

<sup>55</sup>RA, Stuart Papers 78/94. James III to Orrery, 15 Dec. 1724, N.S.; *idem*, partly printed in Glover, *Letters of Atterbury*, i, 120. Cf. RA, Stuart Papers 76/137. James III to Ormonde, 7 Sept. 1724.

The residual sway Mar still held in England is suggested by noting that after receiving these letters Orrery and other English Jacobites dispatched James Hamilton to visit Mar in an unsuccessful attempt to persuade him to remain in James III's service. Hamilton claimed that Orrery and Caesar both doubted Mar's loyalty as early as March of 1722, when they refused to allow Hamilton to travel to Paris with a sensitive verbal message for fear that Hamilton would come into contact with Mar and because Hamilton was in 'the entire management of their business & couldn't be absent so long'.<sup>56</sup> Whether this implies their motives were fears of Mar's future implication of them, or additional evidence for Orrery's own betrayal of the Jacobites is unclear. Whatever the case, the latter possibility will be discussed in greater detail below.

One of the more intriguing problems concerning research into Orrery's Jacobitism in the years after 1722 concerns the source material. Since his letters to Rome were less frequent, existing information from other sources takes on even greater importance. Consequently, so do the letters of John Semple, one of Walpole's most active informants in Paris during the mid- and later 1720s. Very little is known about John Semple.<sup>57</sup> Apparently Scottish, he was arrested in 1722, terrorised and allowed to escape to France with Sir Henry Goring.<sup>58</sup> For over a decade thereafter Semple supplied Walpole and his ambassador in Paris, Sir Robert's brother Horatio, with frequent reports about Jacobite activities. Atterbury's death in 1732 ended Semple's value as an informant, and he died a penniless exile five years later.<sup>59</sup> Semple portrayed himself as having won Atterbury's complete confidence. His reports are usually entertaining summaries of private conversations with the ex-bishop which exhibit Semple's early eighteenth-century colloquialisms, his remarkably eccentric spelling, and his copious marginal annotations and comments discussing whether he believed or doubted the remarks he recorded. Unfortunately, discerning the authenticity of Semple's remarks poses certain problems, primarily one of distinguishing between what was actually said and what Semple imagined or concocted so as to ensure the payment of his bills of exchange. One of Semple's favourite tactics at eliciting information from Atterbury was to play upon the

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<sup>56</sup>RA, Stuart Papers 78/152. James Hamilton to Inverness, 24 Dec. 1724.

<sup>57</sup>He may have been related to a Lord Semphill, who was himself a Jacobite and frequented popular Jacobite gathering places in Paris.

<sup>58</sup>See above, Ch. 9, p. 380.

<sup>59</sup>The most complete account of the career of John Semple (alternatively spelled Sample or Sempill) is in Fritz, 'Anti-Jacobite Intelligence', pp. 276, 283-84. There is also discussion of his identity in *idem*, *English Ministers and Jacobitism*, pp. 121-22, 141-22; and in Bennett, *Atterbury*, pp. 254, 283, 288-90.

crochety old man's temper by repeating rumours,<sup>60</sup> or in some cases, creating fictitious reports, about Atterbury's relations with other Jacobites.

Despite their problematic nature, Semple's letters are important for several reasons. One of their most valuable aspects is in the information they shed on the Jacobite activities of Orrery and his secretary, Simon Swordfeger, with whom Semple was personally acquainted. In the autumn of 1724 Semple reported that he himself had spotted Swordfeger and two other men in Paris who were travelling 'Incognito an Seet out for Spain...upon what arrent I cant tell; but if you will Seet one upon him to watch hes Watters you will Know more'; adding rather unflatteringly that Swordfeger was 'a Silley fellow in himselfe, and may be trepan'd in his Drink'.<sup>61</sup> Whether this journey occurred, and its possible purpose, are unknown. There is no evidence that Orrery made solicitations to the Spanish court, although it is conceivable that Swordfeger was used to transport a message to Ormonde. Equally interesting are Semple's assessments of Atterbury's genuine opinion of and relationship with Orrery. A conversation between Semple and Atterbury in 1725, when Orrery was en route to Paris, exemplifies the content of Semple's reports and the manner in which he induced Atterbury to speak freely. It also illuminates Mr. Swordfeger's personality and provides some idea of the factionalism and jealousy which hampered the Jacobites' efforts:

I was the 22nd Inst all the afternoon with the Bishop [Atterbury], and in order to draw from him what I suggested upon a better foundation, I told him that Lord Mar's creatures give out that Lord Orrery was no friend to him and consequently would not joyn in his way of thinking as an instance of which Swordfagger, his Secretary had told in the company of Several, that his Lord had subscribed 500 LL for him, and that when he sent to demand it by Mr Morris, the said Lord [Orrery] complained that his confinement had cost him more than 2000 LL, and that he could give no more than 300; which the Bishop returned in a haughty manner, saying that he knew Lord Orrery to be a poor covetous man, and altho' of good sense led by indifferent people, which the Secretary thought to mean himself and wife. To this the Bishop answered, that some Paragraph of it was true, but that the design of those reports was to make the world believe, that as Lord Orrery had declared he would have nothing to do with Mar and that cabal he would have nothing to do with him neither, but sayes he, let them go in that notion, but this I assure them they shall never know what passes betwixt Lord Orrery and I tho' his Lordship declines meddling in affairs to them. But sayes he, after some moments pause, I am sorry that Lord Orrery shews his weakness so much in being attached to a lewd woman, whose husband's indiscretion and weak capacity he was no stranger to.

Semple also reported how he had challenged Atterbury as to whether Wharton was commissioned by the Pretender at 'Vienna, at my repeating which he started, and looked at me some time without speaking in a pale surprise which he turned into a faint smile, and said that it was

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<sup>60</sup>The admittedly hostile Dr. Stratford believed that Atterbury 'quarrelled with everybody he was most intimate with': HMC, *Portland*, vii, 385.

<sup>61</sup>BL, Add. MS 32741, f. 114. [Semple] to [Horatio Walpole?], 27 Oct. 1724.



a suggestion of people' trying to concoct false stories.<sup>62</sup> The implication here and in other letters is that Atterbury and Semple sometimes engaged in a kind of mutual psychological deception and mis-information, and that Atterbury was fully aware of his friend's true avocation. On other occasions, however, Atterbury appeared to lose his temper completely and disclose all without reservation. Similar suggestions of Swordfeger's indiscretion are related in Semple's letter from a few months later. Semple reported that he had informed Atterbury's son-in-law that:

what Swordfagger say'd of him to which he Answer'd that it was of no moment to him wheather he Spoke well or Ill of him Being a Silley fellow who Beliv'd Because his Wife was his Master's Mistress he knew more of his Lord's Secrets then he Reiley Did and that all this Differance Betwixt them Proceeds from the Bishop Checking him for Unprudance, and telling his Lord of the Same.<sup>63</sup>

In early 1726 Semple claimed to have met and conversed at length with Simon Swordfeger several times, and if these reports are accurate, it would appear Orrery's circumspection was largely undermined by his garrulous secretary. About the time of Orrery's departure from Paris in early 1726 Semple described how Swordfeger had identified a Scot who was to convey letters back to Britain for Orrery and had willingly told Semple of his own routine in collecting post. Semple's queries about the danger of interception by British agents were brushed off by Swordfeger, who remarked that the letters were 'writ in a State that none could Understand but his Lord and his Correspondance'.<sup>64</sup>

The nature of Semple's position and the fact that his reports increasingly consisted of rumour and fantasy following Atterbury's death in 1732 obligate historians to view the informant's letters with scepticism. One possible method of partially verifying the content of his reported conversations with Atterbury is by analysing the repetition of some of Semple's colourful expressions. One expression he uses with noticeable frequency is various forms of the phrase 'setting together by the Ears', meaning to provoke fighting or internal discord. Atterbury's cantankerous personality rendered this phrase an accurate depiction of his role in formulation of Jacobite strategy. Semple used this phrase repeatedly in letters to Horatio Walpole in 1725-1726, as when Semple characterised Atterbury's 'temper & immoderate behaviour' as provoking nothing but 'confusion' among the Jacobite ranks and

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<sup>62</sup>Semple believed Atterbury's response was suspicious because of his: 'pausing and humming upon it afterwards': BL, Add. MS 38504, ff. 126-29. (Copy), Semple to [Horatio Walpole], 25 Nov. 1725, endorsed 'in Mr. Walpole's 3 Dec. 1725'.

<sup>63</sup>PRO, SP 78/182/189-90. Semple to Horatio Walpole, 14 Dec. 1725, (enclosed in) PRO, SP 78/182/179. Walpole to Delafaye, Paris, 15 Dec. 1725.

<sup>64</sup>BL, Add. MS 32745, f. 62.

having 'sett them together by the ears'.<sup>65</sup> Such a phrase would not attract attention in and of itself, were it not for the fact that Orrery used the same phrase in his maiden speech in the Commons in 1701.<sup>66</sup> Since Atterbury was Orrery's tutor at Christ Church in the 1690s, the latter could have heard Atterbury use this phrase constantly and adopted it as his own. In a limited sense, then, Semple's repetition of Atterbury's use of the admittedly popular phrase might help confirm the authenticity of his accounts of conversations with the exiled bishop.

Other insights into Orrery's conduct as the head of English Jacobite affairs can be drawn from his contacts with people in Paris. From 1724-1727 Orrery established and cultivated links with several figures in Paris, most of whom were female, who were thought to possess influence at the French court. A lesser contact was his electoral patroness from 30 years beforehand, Lady Sandwich, who resided in France after 1714. Her actual influence at court seems to have been minimal, and Orrery's visits to her house in Paris in 1725 were probably primarily of a social nature.<sup>67</sup> A more important Paris contact was Eleanor, Madame de Mézières, the sister of the deceased Earl of Oxford's mistress, Fanny Ogelthorpe. Madame de Mézières had reported the inebriated indiscretions of Bolingbroke to James III in 1716 and she remained a loyal Jacobite until her death, suffering arrest herself upon a visit to England in 1752 upon suspicion of complicity in the Elibank Plot.<sup>68</sup> Her functions in the 1720s included approaching the French court about the Pretender's tardy pension payments and intercession on Atterbury's behalf with the then Bishop of Frejus,<sup>69</sup> later appointed Cardinal Fleury, who would dominate French foreign policy for the next three decades. Frejus, however, who was in strict confidence with Walpole's brother in Paris, was almost singlehandedly responsible for largely thwarting the Jacobites' overtures to the French for support throughout the 1720s-1730s.<sup>70</sup>

Orrery was reportedly in close confidence with Madame de Mézières as early as January

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<sup>65</sup>BL, Add. MS 46856, f. 283. Horatio Walpole to Tilson, Fontainebleau, 16 Sept. 1725, N.S. Other examples from Semple's reports are found in PRO, SP 78/182/83-88, 202-06; and CUL, Ch (H) MS Corr. # 1281. On another occasion Semple related that: 'Swordfagger ashures me that...if the Whigs could be brought to Squabble amongst themselves his Ld would Gow over to help to throw the Hatt that they might fasten, this is a terms Us'd when Doggs is fighting, and was his Very words': BL, Add. MS 32745, f. 61, letter dated 26 Jan. 1726, N.S.

<sup>66</sup>BL, Add. MS 10388, f. 39; and above, Ch. 2, p. 53.

<sup>67</sup>Perceval described her in 1730 as 'as generous as witty, as lovely as witty and generous', a lady who none the less mirrored her father's attributes and was 'notorious for whoredom & hard drinking': BL, Add. MS 47128, f. 121.

<sup>68</sup>Petrie, *Jacobite Movement*, ii, 102, 157-58.

<sup>69</sup>RA, Stuart Papers 69/124. Hay to James III, Paris, 24 Oct. 1723.

<sup>70</sup>BL, Add. MS 9152, f. 17v. Horatio Walpole to Newcastle, Paris, 21 June 1724.

1724.<sup>71</sup> Just how valuable the relationship was, however, and what it says for his judgement, is another matter. His personal opinion of her and the exact nature of their relationship are not revealed in his own letters and must be pieced together from secondhand accounts and frequently unfriendly rumours. Various observers linked Madame de Mézières with Mar and suspected her of collaborating with the British government's informants.<sup>72</sup> In 1726 Semple passed along Atterbury's derogatory description of her as Horatio Walpole's 'Great Courtezan', someone who had lost influence with French ministers and viewed Mar as a 'Hero'.<sup>73</sup> Evidence from other sources also tied her with Mar and raises additional suspicions about Orrery's own opinion of that discredited figure.<sup>74</sup> For Orrery to have relied to any degree upon the confidence of such a figure suggests his judgement was extremely flawed and that information about his activities might have been funnelled back to the British government through Mar. The insinuations about Orrery's opposition to Atterbury and put forth as false intelligence by 'Mar's creatures' have been mentioned above. Atterbury, who detested Mar because he placed primary blame for his arrest and banishment upon him,<sup>75</sup> believed that Mar's underling John Menzies was spying upon Orrery for Mar and that Menzies 'had recommended a footman, who talked french and English for the same purpose'.<sup>76</sup> This allusion to his Orrery's ignorance of Mar's treachery is impossible to confirm, but ironic, considering his obsession with secrecy. Evidence presented below further suggests that Orrery was taken in by Mar and possibly tricked into confiding in some female figures in Paris who were also under the turncoat duke's influence.

## II

Understandably, as with many Jacobites, Orrery's enthusiasm for his adopted cause flagged and

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<sup>71</sup>RA, Stuart Papers 72/10.

<sup>72</sup>According to Bolingbroke, Lord Stair supposedly lived in a house that belonged to her while the latter resided in Paris: Coxe, *Walpole*, ii, 343. Bolingbroke to Lord Hardwicke, Battersea, 12 Nov. 1744.

<sup>73</sup>BL, Add. MS 32746, f. 460v. [Semple] to Horatio Walpole, 19 July 1726.

<sup>74</sup>For example, in the spring of 1725 Atterbury reported that Madame de Mézières' family had accompanied Mar and his family for a stay in the country near Fontainebleau: RA, Stuart Papers 87/172. Atterbury to Inverness, Paris, 30 April 1725, N.S.; and printed in *Memoirs of Atterbury*, ii, 124. Mar's friends described her in similar terms; Dillon called her Mar's 'constant companion' and 'fast friend', and the Pretender condoned Dillon's caution in 'speaking about our private affairs' with her: RA, Stuart Papers 72/10, 83.

<sup>75</sup>*Lockhart Papers*, ii, 204; Bennett, *Atterbury*, pp. 248-49.

<sup>76</sup>BL, Add. MS 38504, f. 126.

fluctuated in response to events in Britain and abroad. The most obvious sign of his wavering confidence was manifested in his ideas on the number of troops he thought necessary for a successful invasion. It is important to remember that after 1723, aside from Scottish clan chiefs who were often isolated from the plans of English Jacobites, Orrery was virtually the only high level Jacobite remaining in Britain with any considerable degree of military experience.<sup>77</sup> He apparently felt compelled to dictate to the Pretender a detailed outline of invasion pre-requisites on what amounted to nearly an annual basis, often repeating requirements which must have seemed increasingly unfeasible. Following the Highlanders' disarming, Orrery became extremely wary and pessimistic about prospects for a restoration without a substantial military force. He revised his estimates upward accordingly, warning that any invasion without such a force would experience 'utter destruction' and effectively wreck any restoration hopes for the immediate future. Instigation of desertion in the Hanoverian Army and the loyal declarations of 'people of prudence & Substance in a number of counties' when George I was in Hanover were also important. Orrery described sufficient numbers as approximately 15,000 men and another 1,000 in Ireland; 10,000 was considered an absolute minimum. The Pretender himself was to accompany them and bring them as close to London as possible, ideally landing at a location within three or four days march.<sup>78</sup> By 1727 Orrery believed a minimum of 20,000 troops was necessary.<sup>79</sup>

Despite his guidelines for the importation of foreign troops, an interesting element of Orrery's Jacobite strategies were his plans for the widescale involvement of loyal Scots. In 1725 he indicated that he preferred to see a coordinated landing in Scotland of some experienced officers who would be 'flung into the Highlands' to form Scottish Jacobite 'regiments' which would be 'paid regularly tho under their own discipline & allow'd to use their own way of fighting which they cannot easily be brought off from'. These units were to be used either as a decoy for Dutch forces or to keep the main British army occupied, then ordered to 'march immediately & come on this way as fast as they can'. Moreover, Orrery insisted that this or any invasion scheme should not be disclosed until the invasion was imminent and then only to 'a very few whose discretion can be relied on to communicate it to whom they shall think proper'. Regardless of the foreign situation, Orrery was consistently

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<sup>77</sup>North & Grey had gone into exile, and Strafford's high rank had been held without him seeing any military action in the War of the Spanish Succession.

<sup>78</sup>RA, Stuart Papers 82/18. Orrery to James III, 7 May 1725. This figure was repeated in a letter from 1726: *idem*, 96/17.

<sup>79</sup>Mahon, *History of England*, ii, Appendix, xxxiv. Atterbury to James III, 20 Aug. 1727.

adamant that he should 'dare hardly consult, as you desire, with many friends whether anything may be undertaken without certainty of immediate foreign forces' for it would 'discredit our councils' and cause further 'divisions among ourselves'.<sup>80</sup>

Since the Jacobites' sole prospect of a successful invasion was thought to lie with foreign assistance, the slightest hint of international friction between the Catholic powers and Britain was a source of hope and often prompted the dispatch of a Jacobite agent to a foreign court to solicit for support.<sup>81</sup> In 1724 the Jacobites had made entreaties to the Russians for an invasion to be launched via Norway or for the embarkation of a large force via Archangel. The Paris-based Russian envoy's betrayal of these schemes, however, and Peter the Great's death largely forestalled hopes of assistance from Moscow.<sup>82</sup> The diplomatic situation during the second half of 1725 gave the Jacobites greater reason to hope for assistance from Austria, which had become alienated by a series of British treaties and antagonised at Britain's pro-French policy and interference with the Ostend Company trade.<sup>83</sup> Austria responded by concluding the Treaty of Vienna with Spain on 5 November 1725. Contemporaries were sceptical about the likelihood of Austria backing the Jacobites,<sup>84</sup> but a recent study of the period's diplomacy described the threat as significant.<sup>85</sup> Ultimately, the tension culminated in 1727 in a brief and largely naval war between Britain and Spain that focused on Gibraltar. Nevertheless, Townshend and Walpole were deeply concerned at the prospects of a Jacobite invasion in conjunction with the Austro-Spanish threat in late 1725 and 1726.<sup>86</sup> It is against this atmosphere of anxiety that Jacobite diplomatic activities of the period must be considered.

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<sup>80</sup>RA, Stuart Papers 82/18.

<sup>81</sup>For the Jacobites' position within the European diplomatic framework during the middle and later 1720s see Jeremy Black, *British Foreign Policy in the Age of Walpole* (Edinburgh: John Donald, 1985), pp. 138-59; Speck, *Stability and Strife*, pp. 232-33; and Basil Williams, *The Whig Supremacy, 1714-1760*, 2nd ed. (Oxford: Clarendon Press, 1962), pp. 198-200.

<sup>82</sup>RA, Stuart Papers 81/95. James III to Orrery, 14 April 1725; CUL, Ch (H) MS Corr. #1199. Newcastle to Horatio Walpole, 11 March 1725, O.S.

<sup>83</sup>BL, Add. MS 33199, f. 323. Newcastle to Horatio Walpole, Whitehall, 6 Aug. 1725, O.S.; Jeremy Black, 'Anglo-Austrian Relations 1725-1740: A Study in Failure', *British Journal for Eighteenth-Century Studies*, xii (1989), 29-45.

<sup>84</sup>For Perceval's doubts see BL, Add. MS 47031, ff. 85-87.

<sup>85</sup>Black, *British Foreign Policy*, pp. 144-46.

<sup>86</sup>In the autumn of 1725, Townshend warned his brother-in-law that foreboding news from Madrid and Vienna all summer made it clear that there was a 'real and fised Intention between the Czarina and the King of Spain to break with us, by making an attempt upon Some part of Great Britain next Spring', and that the 'head of this Scheme' was the Emperor: BL, Add MS. 38503, f. 128. Townshend to Horatio Walpole, Hanover, 5 Oct. 1725, N.S.; cf. Peter, Lord King, *The Life and Letters of John Locke, Lord King* (London; 1830; Rept., New York: Burt Franklin, 1972), App., pp. 442-43.

The challenge of procuring Austrian assistance was accepted by Philip, Duke of Wharton, who was also eager to flee an unhappy marriage and mounting debts induced by neglected estates, disastrous South Sea losses, and a profligacy almost unparalleled in Augustan England. Before departing England Wharton notified the Pretender that he possessed an 'intire friendship' with Orrery.<sup>87</sup> Wharton demonstrated his trust, if his misguided confidence in Orrery's financial expertise, by naming him as one of the trustees of his estates.<sup>88</sup> Orrery supervised Wharton's affairs during his mission to Vienna and into 1726, endeavouring to sell off or mortgage his estates in order to stave off the flamboyant duke's financial ruin.<sup>89</sup> In the summer of 1725 Wharton's much maligned and neglected wife visited Orrery at Brittwell and became desperately ill. Orrery personally supervised her needs and employed eminent doctors to attend her.<sup>90</sup>

Wharton was publicly drinking the Pretender's health long before he left Britain,<sup>91</sup> yet it is slightly amusing to note that Orrery and other Jacobites, fearful he would reveal their cant names in a fit of drunken loquaciousness and provoke a 'fatal jealousy' in Atterbury, did not trust the unpredictable duke to carry their messages to the exiled bishop.<sup>92</sup> Aside from the British government's suspicions of a connection between Orrery's trip to Paris in 1725 and Wharton's mission to Vienna,<sup>93</sup> Orrery did not figure large in negotiations held in the Austrian capital. The one exception was when his name was broached during an audience Prince Eugene granted Wharton. Eugene enquired about the dispositions of various British military commanders who might be counted if an Austrian-backed invasion was undertaken. After lying about Cadogan's willingness to support the Jacobites,<sup>94</sup> Wharton mentioned Orrery and

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<sup>87</sup>RA, Stuart Papers 82/3. Wharton to James III, 1 May 1725, O.S.

<sup>88</sup>Wharton also left his will in Orrery's hands before setting out for the Continent: BL, Add. MS 62558, f. 28.

<sup>89</sup>In July 1725 Orrery informed Wharton that the latter's 'perplex'd' affairs would take some time to straighten out: RA, Stuart Papers 84/148; *idem*, 80/14, 30; 93/80, and 87/22. James Hamilton to Wharton, London, 26 Oct. 1725.

<sup>90</sup>Within a few months she had recovered, only to die of a miscarriage in 1726: RA, Stuart Papers 84/148, and 88/143.

<sup>91</sup>There is a humorous account of one such incident in HMC, *Various*, viii, 384-85.

<sup>92</sup>*Memoirs of Atterbury*, ii, 156. Wharton to James III, 4 July 1725; *idem*, printed in *Letters of Atterbury*, i, 220, note; and Melville, *Wharton*, pp. 154-55; cf. RA, Stuart Papers 87/49. George Lockhart confessed that Wharton was 'apt to blab out with what requires the greatest secrecy': *Letters of Lockhart*, 277.

<sup>93</sup>Wharton left for Holland in the summer of 1725: RA, Stuart Papers 82/50; for his mission see the letters illuminating his negotiations in *Memoirs of Atterbury*, ii, 155-96; and Blackett-Ord, pp. 121-32.

<sup>94</sup>Argyll had just displaced Cadogan as head of the army in 1725, who died in July 1726; *House of Commons, 1715-1754*, i, 513.

offered to send for him in Paris so he could 'give a very good account' of affairs in England. Wharton was pleased to note that Eugene thought 'very well' of Orrery in the context of statesman, but looked upon him less favourably as the potential commander of a Jacobite army, just as he did the prospects of Ormonde's command, 'of whose capacity that way he had but a very indifferent opinion'.<sup>95</sup> With these sentiments perhaps Eugene was simply recalling Orrery's behaviour towards the Prince's cherished friend during the 1710 campaign.<sup>96</sup>

Orrery had notified the Pretender as early as 1723, following Orleans' death, that he was willing to return to Paris to negotiate with the French now that their inclinations were more likely to be favourable than was the case in 1720.<sup>97</sup> As for his journey to France five years earlier, Orrery began preparations months in advance, hoping to minimise suspicion by indicating publicly that he would soon go abroad to serve as governor for his son John, who was no longer a minor and eligible to use his title of Lord Boyle. Orrery began planning the trip as early as December 1724.<sup>98</sup> He originally designed to stay abroad 18 months and return for a three month interval.<sup>99</sup> Plans for Orrery's arrival in Paris in the autumn were circulated among leading Jacobites as early as August 1725. Atterbury expected him by late October and asked Wharton if he had any commands for him.<sup>100</sup> Loyal Highland Scots such as Hector MacLean, Cameron of Lochiel and others met with Atterbury in July 1725 to discuss Scottish unrest,<sup>101</sup> but Atterbury remained convinced of the necessity of considerable foreign assistance in order to prod English Jacobites into action, and was certain that Orrery would concur upon arrival in Paris. Certain that 'many useful lights might be drawn' from Orrery, the Pretender also anxiously awaited his arrival. It was also expected in Rome that the recently-installed Jacobite agent in Paris, an exiled Irish officer named Colonel Daniel O'Brien, would find Orrery 'willing to hear you', the latter would take the opportunity to confer as to the latest developments in James III's affairs abroad.<sup>102</sup>

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<sup>95</sup>Eugene expressed similar opinions about Strafford: RA, Stuart Papers 87/112. Sir John Graeme to Inverness, Vienna, 24 Nov. 1725, N.S.

<sup>96</sup>See above, Ch. 4, p. 110.

<sup>97</sup>RA, Stuart Papers 71/25. James Hamilton to James III, London, 10 Dec. 1723, O.S.

<sup>98</sup>RA, Stuart Papers 78/152. James Hamilton to Hay, 24 Dec. 1724, O.S.

<sup>99</sup>NLI, MS 4177, n.f. Orrery to Brettridge Badham, London, 29 Feb. 1725, O.S.

<sup>100</sup>*Memoirs of Atterbury*, ii, 195. Atterbury to Wharton, 1 Oct. 1725; *idem*, Melville, *Wharton*, p. 168; *Letters of Atterbury*, i, 266, 286.

<sup>101</sup>*Memoirs of Atterbury*, ii, 150; *cf.* NLS, MS 25386, ff. 1-45.

<sup>102</sup>*Memoirs of Atterbury*, ii, 193. Atterbury to Inverness, 24 Sept. 1725; *idem*, *Letters of Atterbury*, i, 256-58, 279, 321.

Orrery's entrée into the city of light was also eagerly anticipated by the British government, and premature reports demonstrated that Hanoverian intelligence was not always accurate. In early August Walpole's brother was told that Wharton, Orrery and North & Grey 'are, & have been for some time at Brussels',<sup>103</sup> while Semple passed on conflicting rumours of sightings of both Strafford and Orrery in Paris. Horatio Walpole confirmed these reports to his satisfaction and announced Orrery's presence,<sup>104</sup> but soon thereafter voiced renewed doubts. One of his 'very diligent' spies reported that he had undertaken an extensive search but Orrery 'il est dan un incognito fort grand'.<sup>105</sup> An embarrassed Walpole notified officials in London a few days later that he could not locate Orrery, 'Tho' a person that should know him told me he believed he saw him in a coach'. As to Orrery's purpose in journeying to France, Walpole was clueless; if its intent was conversation with Atterbury he believed it would prove pointless, since the Jacobites had 'no manner of hopes here at present' and were 'very sensible of it'.<sup>106</sup>

The difficulty experienced by Walpole's agents is understandable, since Orrery had yet to depart from Britain in August. He and his son John, along with Mr. and Mrs. Swordfeger and several of 'her' children, set out from London on 23 October 1725, O.S.,<sup>107</sup> and had arrived in Paris by 14 November N.S.<sup>108</sup> A more confident Horatio Walpole announced several weeks later that 'O\_\_\_\_ry is at Paris his baggage & new liverys were Seized at Calais; I had intimation that he intended to apply to me to get them released, but I have heard nothing from him'. After Orrery's arrival it was reported that he had 'already been often' to pay his respects to the notorious Jacobite tippler, the Duke of Beaufort, who was also residing in Paris.<sup>109</sup> By October Horatio Walpole had also changed his mind somewhat as to the purpose of Orrery's presence, warning that renewed Jacobite activity had convinced him that 'Orrery's

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<sup>103</sup>BL, Add. MS 46856, f. 10. (copy), Horatio Walpole to Newcastle, 3 Aug. 1725, N.S.

<sup>104</sup>BL, Add. MS 46856, f. 27v. (autograph), Horatio Walpole to Tilson, Paris, 9 Aug. 1725, N.S.; PRO, SP 78/181/220. Horatio Walpole to Delafaye, 8 Aug. 1725, N.S., relayed a 'great report of Lds Stf\_\_\_\_ds & Ld O\_\_\_\_y's being here but upon enquiry I can't find that ye first is come but ye last has been in town some days wth his Son, whom he comes to Settle here'.

<sup>105</sup>BL, Add. MS 38502, f. 16; PRO, SP 78/182/27-28. Monsr. La Roche to [Horatio Walpole?], enclosed in PRO, SP 78/182/24. Horatio Walpole to Newcastle, 25 Aug. 1725, N.S.

<sup>106</sup>BL, Add. MS 46856, f. 134. (autograph) Horatio Walpole to Tilson, Fountainebleau, 30 Aug. 1725.

<sup>107</sup>RA, Stuart Papers 87/8. (autograph) Orrery to Wharton, London, 22 Oct. 1725, O.S.; *idem*, 87/22. James Hamilton to Wharton, London, 26 Oct. 1725, O.S.

<sup>108</sup>RA, Stuart Papers 86/67.

<sup>109</sup>BL, Add MS. 38504, ff. 58-59. (autograph) Horatio Walpole to [Tilson?], Fountainebleau, 16 Nov. 1725, N.S.; also see BL, Add. MS 46856, f. 10.



intentions of coming & Staying here for a 12 month is in consequence of the measures they are concerting'.<sup>110</sup>

The British ambassador described how Orrery 'was under a great dilemma about making me ye first visit'. He supposed that Orrery had been advised by Beaufort's friends to decline and that Orrery 'intended to draw if possible ye first visit from me and sent Lady Sandwich to commd. me upon it as a person of good nature'. After assurances that Walpole was 'glad to be civill' to all Englishmen, Orrery sent Swordfeger to announce his plans to reside in Paris for Lord Boyle's education. The British ambassador and the Jacobite minister finally met several days later. Sometime around 10 December Walpole treated Orrery and several other English gentlemen to a dinner, for which Atterbury excused his former pupil, saying 'he was Oblidg'd to Doe what he Did tho[ugh] in Railyt it was only Gremarce'.<sup>111</sup> Undeceived by Orrery's talks of returning to England because of the expense and Lord Boyle's dislike of Paris, Walpole guessed the departure was 'agreeable to ye measures which he [Orrery] and the Bishop [Atterbury] has concerted, flattering themselves that something may be done in Parliament this year by ye discontented W[hi]gs' and in conjunction with 'some scheme formed by Lord W[har]ton'.<sup>112</sup> Despite Orrery's painstaking precautions, figures unaffiliated with Walpole's intelligence system were similarly suspicious of Orrery's journey. Perceval mused that 'Orrery who lately arrived here with his Son and designed to pass a year at least, to which purpose he had taken a house, talks of returning, and undoubtedly severall who design to come will stop their Journey'.<sup>113</sup> If more incriminating evidence on the reasons for Orrery's presence was needed it was supplied with Atterbury's claims:

Orrery was entrusted with the whole keep of his [the Pretender's] affairs and that the Rail source of his coming here was to serve him more upon that account then the Education of his son, this he [Atterbury] tould me with a wink and Peopel in England would & did confide in the Sayd Lord that would not in the Bishop and that he could do more Service in that way he proceed'd in one Day then the Bishop could in a month'.<sup>114</sup>

Plagued by typical Jacobite ill luck, Orrery arrived in Paris just as he had in 1720, in the midst of yet another French financial and economic crisis. In one of the few extant letters he wrote from Paris he described the effects of a projected 'diminution of the money' which would amount to a 75% adjustment in the French currency's value. This prospect placed a

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<sup>110</sup>PRO, SP 78/182/106. Horatio Walpole to Delafaye, Fontainebleau, 27 Oct. 1725.

<sup>111</sup>PRO, SP 78/182/185-88.

<sup>112</sup>PRO, SP 78/182/179. Horatio Walpole to Delafaye, Paris, 15 Dec. 1725.

<sup>113</sup>BL, Add. MS 47031, f. 44. Perceval to Daniel Dering, Paris, 4 Nov. 1725.

<sup>114</sup>PRO, SP 78/182/211. [Semple?] to Horatio Walpole, 21 Dec. 1725.

severe hardship on Orrery's plans to prolong the visit for his son's cultural enrichment, who was already extremely 'out of order & finds the place so unpleasant'.<sup>115</sup> Lord Boyle's restlessness may have been partly occasioned by humiliation over the fact that his father was travelling with Mrs. Swordfeger and 'her little family' in tow. The combined expences of a large party and the devaluation of the currency forced Orrery to move to a different and presumably less expensive hotel, and he related unease over the 'monstrous prices' and 'Excessive dearness', calculating his losses at around half his specie's value.<sup>116</sup>

Although there was much bilateral speculation about the nature of Orrery's business in Paris, few letters survive which identify specific persons he was to contact or proposals he was to make. A possible clue to the real reason for his journey may be contained in another remarkable letter to his dear friend, Lord Uxbridge. In mid-December, Walpole presented Orrery and his son to Louis XV at the French court.<sup>117</sup> Along with reflections on the French economy, Orrery mentioned this encounter in an almost offhand manner:

I had the honour to wait upon the King & Queen at Versailles, the King I believe was desir'd to speak to me but I had only a gracious smile from him he cannot be persuaded to speak to Strangers wch is attributed to his bashfulness[;] I stood by him all his dinner time & he spoke to his servants about him & I saw nothing amiss in his behaviour for one of his age. The Queen spoke to me. She seems of a Tender constitution & not likely to bring many heirs to his Majesty.<sup>118</sup>

Determining the relationship which must have existed between Wharton's mission and Orrery's visit to France, as well as the latter's relative success or failure, is difficult. Orrery's objectives were apparently unclear to contemporaries and remain so today. If his intent was to secure personally Louis XV's ear and request French support for Jacobites, his report to Uxbridge suggests scant accomplishment. Furthermore, if the British ambassador's reports were reliable, conditions for successful solicitations of support from leading French ministers were equally inauspicious, and may indicate that Orrery was receiving exaggerated or erroneous indications of the reception he might meet with in Paris. In August 1725 Horatio Walpole described a long conversation he had with the then Bishop of Frejus, (later Cardinal Fleury). The Bishop himself advised that George I should situate a small fleet in the Channel to thwart any sudden Jacobite attempts, adding further that the Pretender was largely ignored

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<sup>115</sup>For Boyle's extremely entertaining letter complaining of Parisian women's excessive make-up and the ridiculous foppery of French beaux see *Orrery Papers*, i, 42-43. Boyle to Mr. Kempe, Paris, 25 Dec. 1725.

<sup>116</sup>BL, Add. MS 61830, ff. 61-62. (autograph) Orrery to Uxbridge, Paris, 19 Dec. 1725.

<sup>117</sup>PRO, SP 78/182/179. Horatio Walpole to Delafaye, Paris, 15 Dec. 1725, N.S.

<sup>118</sup>BL, Add. MS 61830, ff. 61-62. (autograph) Orrery to Uxbridge, Paris, 19 Dec. 1725, N.S.

by insiders at the French court and did not even bother to solicit for the 'great arrears due of a small pension' Versailles owed him. Moreover, Horatio Walpole's estimation of French ministers Le Duc and Comte Morville was unfavourable: they were figures of 'irresolution and timidity' due to their 'Ignorance and Incapacity'.<sup>119</sup>

Orrery's secretive behaviour during his brief mission to Paris inevitably precipitated misunderstandings and caused suspicion among leading Jacobites. Some were openly critical and went as far as to dispute his commitment to the Pretender.<sup>120</sup> In order to attempt to explain Orrery's actions and examine the validity of these misgivings, it is necessary to discuss his activities at length and the personalities with whom he associated in Paris. Much of the accusations against Orrery stemmed from other Jacobites' inability to contact him, which itself was partly due to his own unwillingness to make himself available. For example, while in France Orrery supplied the Pretender with no address to which correspondence could be sent.<sup>121</sup> An exasperated O'Brien attempted to arrange a meeting with Orrery for weeks through the intercession of Lady Sandwich and others, only to have his letters refused and learn that Orrery was in Paris 'uniquement que pour l'éducation de Son fils'. Orrery insisted that he intended to see only Atterbury, even after O'Brien informed him that he possessed a message from Rome that was to remain completely confidential.<sup>122</sup>

Indeed, the most controversial aspect of Orrery's conduct in Paris seems to have been the circumstances of memoranda which were sent to Rome at Orrery's behest, and his related associations with some French acquaintances, a mysterious Monsieur and Madame de Marche, often rendered 'de Marsh' or 'de Marches' in Jacobite correspondence. As with many Jacobite messengers and emissaries, Orrery's relationship with this pair is ambiguous. Monsieur de Marche, evidently a comte, was supposed to have relayed a message from Orrery, Caesar and Strafford to the French minister Le Duc in 1724. The Pretender had encouraged Orrery and his friends to engage in independent overtures to le Duc after Orleans' death.<sup>123</sup> The 1724

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<sup>119</sup>BL, Add MS. 46856, ff. 68-71. 'secret', Horatio Walpole to Townshend, Versailles, 14 Aug. 1725, N.S.; *idem*, cited in Black, *British Foreign Policy*, p. 145. The British ambassador often passed on information to Morville about apprehending known Jacobites operating in Paris: BL, Add MS. 38503, f. 199.

<sup>120</sup>Glover, *Letters of Atterbury*, i, 321. O'Brien to Hay, 12 Dec. 1725, N.S.

<sup>121</sup>RA, Stuart Papers 89/29. Inverness to James Hamilton, Rome, 5 Jan. 1726, N.S.

<sup>122</sup>RA, Stuart Papers 88/111. O'Brien to Inverness, Paris, 24 Dec. 1725.

<sup>123</sup>CUL, Ch (H) MS, Corr. #1037; RA, Stuart Papers 78/94. James III to Orrery, 15 Dec. 1724, N.S.; *idem*, partly printed in Glover, *Letters of Atterbury*, i, 120. Orrery's friend William Cecil had sought to cultivate contacts a friend (possible Coloney Disney) had with a French minister: RA, Stuart Papers 77/141, 163.

message instructed le Duc that any plans for French assistance of a Jacobite attempt were to be relayed directly to Rome, rather than to Dillon or others in the Paris clique.<sup>124</sup> At any rate de Marche dithered, and whether the message was ever delivered and how much assistance he provided is unknown.<sup>125</sup> He surfaced again in early 1725, when he, Atterbury and Madame de Mézières discussed a letter presumably presented to Cardinal Fleury. Atterbury expressed anxiety over the fact that de Marche thereafter 'Kept his distance and never repeated his visit', continuing that 'I cannot but observe that both he and she [de Marche and Madame de Mézières] are frequently with the English Minister here, and that there is of late a remarkable acquaintance struck up between the two families'.<sup>126</sup> Orrery's contacts with the de Marches and role in the 1726 memos more properly concerns his links with the Countess. During Orrery's visit to Paris she is known to have met with Orrery several times and may have had a temporary fling with him. After Orrery's departure Semple delivered a very interesting report to Horatio Walpole in which the informant related how:

I was asshur'd Last Night that Ld Orrery had, Certainly an Understanding with some Great Men in this Court, and nam'd the Bishop of frigus, and the orliance faction, to who he was Recomend'd by Monsr Le Blanch, with whom he has Constantly Correspond'd Since and Before his Being here, by the Channel of Madame De Mariceve [de Marche?] and her Sister, with whome he is most Intimate.<sup>127</sup>

Although the reliability of such hearsay must be assessed accordingly, Semple's rumours at least imply a possible motive for Orrery's associations. Other observers were less indulgent about the company Orrery kept, particularly when the circumstances of Madame de Marche's involvement in the composition of the memorials became apparent. Inverness and O'Brien became the most hostile, and the memos' content may have been the reason.

It must be understood that the Jacobite world was in utter turmoil in late 1725 and throughout 1726 because of the domestic problems in the Palazzo Muti engendered by the appointment of the Protestant James Murray, titular Earl of Dunbar, as governor to young Prince Charles Edward.<sup>128</sup> Whatever its causes, the royal estrangement was a grave development, particularly since it coincided with Wharton's efforts to coax the Austrians into backing an invasion. Accordingly, it was perceived in Britain with the utmost seriousness. George Lockhart described it as 'the severest stroke the King's affairs have met

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<sup>124</sup>RA, Stuart Papers 76/173. Hay to Atterbury, 19 Sept. 1724.

<sup>125</sup>RA, Stuart Papers 77/102; *idem*, 78/45.

<sup>126</sup>*Memoirs of Atterbury*, ii, 111-12. Atterbury to Inverness, Paris, 16 April 1725.

<sup>127</sup>CUL, Ch (H) MS, Corr. #1281. [J. Semple] to Horatio Walpole, Paris, 13 Feb. 1726, N.S.

<sup>128</sup>For background and details on the royal spat, including excerpts of letters from James III, see Haile, pp. 312-17.

with', and urged James III to reconcile with his wife because the split discouraged professed Jacobites as well as those 'who appear outwardly with another countenance, but secretly would be glad to pull off the mask'.<sup>129</sup>

Madame de Marche, Orrery, and his English Jacobite friends must have viewed the situation in a similar light, because they became deeply involved in attempts to reconcile the Pretender and Clementina, and, in the process, became embroiled in high-level infighting among the king's supporters that ultimately led to the resignation of Inverness, his Secretary of State. Although the details are slightly nebulous, this extremely complex situation apparently began to unfold around the time of Orrery's arrival in Paris. O'Brien had notified Inverness soon thereafter of Orrery's avoidance of him, and there was speculation about Orrery's acting 'more shy than ordinary' and receiving misleading information.<sup>130</sup> Perhaps even more disturbing was O'Brien's warning that since Orrery 'estoit détermine de ne poient changer son arrangement', Orrery 'dans un temps ou il est liurer à Mlle de Marche la plus folle et la plus indiscrete creature du monde'.<sup>131</sup> Perplexed, Inverness agreed that Orrery's 'liasion' with Madame de Marche 'whose character is well known affords matter of reflexion'. He also found it odd that Orrery's 'excess of Caution' led him to refuse repeated invitations to meet with O'Brien, despite a letter from the Pretender suggesting that Orrery do so.<sup>132</sup>

Increasingly, O'Brien and Inverness reacted to Orrery's secrecy and timidity with blatant criticism. Reasons for Orrery's evasion soon became clear. In January 1726 it was reported that some memorials had been sent to Rome, addressed to James III and his queen, and aimed at encouraging a reconciliation between them. Enquiries in Paris revealed that the documents had been written by Madame de Marche on the strict authority and by the dictation of none other than Orrery, and represented his own views as well as those of the leading English Jacobites. The memorials did not arrive in Rome until mid February,<sup>133</sup> but Madame de Marche had written to the Pretender a month earlier using the Parisian papal legate's cover, and she admitted that she had written a long letter in December 1725 to Lord Dunbar, again on

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<sup>129</sup>*Letters of George Lockhart*, pp. 268-70, 284; RA, Stuart Papers 91/109, and 95/120; also *Lockhart Papers*, ii, 257-59.

<sup>130</sup>RA, Stuart Papers 90/82.

<sup>131</sup>RA, Stuart Papers 88/111. O'Brien to Inverness, Paris, 24 Dec. 1725.

<sup>132</sup>See Inverness's letters to O'Brien, of 9 and 16 Jan. 1726, in RA, Stuart Papers 89/60, 104; and 91/58. O'Brien to Inverness, Paris, 4 March 1726.

<sup>133</sup>RA, Stuart Papers 89/1/7.

Orrery's direction, the latter 'not caring to escrire directly himself and That Msr le Marche her husband, Binet [Orrery] not caring to trust his ecrite had copied two memoires', one to the Pretender with Orrery's opinion on how 'the difference' between James III and his wife might be resolved, and the other 'representing to her the bad appearances of the separation'.<sup>134</sup> The papal nuncio in Paris had 'charged himself to transmit' the memorials to the pope's personal secretary. James III instructed O'Brien to make further enquiries 'whether Binet [Orrery] has authorized these Steps this Lady has taken, which the extraordinary way of transmitting a Memoire' made him suspicious 'that Lady has sent ye Memoire & sent it in name of King's friends in England'.<sup>135</sup> With the arrival of each dispatch from Paris, Inverness passed on additional details of the situation and Orrery's role within it, and if the Secretary of State is to be believed, the Pretender was unhappy with both the documents' content and 'could not but be a little Surprized' at the manner in which they were conveyed, suspecting that the Madame had exceeded Orrery's authorisation.<sup>136</sup> Inverness' own suspicions were heightened as he learned more about the memorials' composition and after he learned that Orrery had departed from Paris without ever seeing O'Brien, who was told that Orrery had also completely avoided Atterbury. Inverness thought Orrery's behaviour 'very remarkable, and upon which it is in vain to define'.<sup>137</sup>

Orrery does seem to have written O'Brien at least once;<sup>138</sup> furthermore, it shall be seen that he had ample reasons to avoid the agent. Since O'Brien could not beg an interview before his departure, he had endeavoured to discover more about the memorials through Lady Sandwich and by questioning Madame de Marche herself. Lady Sandwich privately told O'Brien of Orrery's 'foiblesse' and the exaggerated confidence which Cecil had evidently placed in the de Marche couple, perhaps confirming them as originally his acquaintances. Lady Sandwich further lamented that in Orrery's 'projets' there were several people who 'soit employe a Paris dans les affaires de du roi cequil seroit un grand malheur'. Although Lady Sandwich did not name these people, she possessed little esteem for Orrery's newfound secretary, Madame de Marche, who defended her own actions and those of Orrery's as well. She explained to O'Brien that the English Jacobites believed Queen Clementina 'fut conduite par les plus méchantes gens du

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<sup>134</sup>The underlined words were composed in numerical cipher.

<sup>135</sup>RA, Stuart Papers 90/81. Inverness to O'Brien, 6 Feb. 1726, N.S.

<sup>136</sup>See Inverness's letters to O'Brien of 6 and 13 March 1726, N.S., in RA, Stuart Papers 91/72, 120; also 91/6, 58, 118.

<sup>137</sup>RA, Stuart Papers 90/136. Inverness to O'Brien, Rome, 20 Feb. 1726, N.S.

<sup>138</sup>RA, Stuart Papers 91/74. O'Brien to Inverness, Paris, 25 Feb. 1726, N.S.

monde'. Consequently, so as to convey an accurate picture of the situation in Rome, James III decided to send copies of one of his own letters to Clementina replete with 'repondus aux marques de tendresse es de boutes'--to which she had failed to respond--to Orrery, North & Grey, and Strafford.<sup>139</sup>

Inverness remained sceptical that Orrery had granted Madame de Marches the authority to compose the letters. He was also troubled by conflicting accounts of the affair he received from Atterbury.<sup>140</sup> The exiled bishop intimated he had had nothing to do with the composition of the memorials and possessed little faith in Madame de Marche's discretion. Inverness challenged Atterbury that 'it must appear very extraordinary that Lord Orrery while at Paris, should have had so entire a confidence in Madam des Marches, & at the same time not desire to see you'.<sup>141</sup> Lady Sandwich soon reported the disturbing news that the memorials were the topic of gossip at St. Germain and spread throughout the coffee houses of Paris, adding that it was suspected that Inverness had leaked the news and that Atterbury, Orrery 'et les autres amis avoient bien lieu de se plaindre de leurs indiscretions'.<sup>142</sup>

James III's wife never seems to have received the controversial memorial written for her, and the one to the king himself has evidently either not survived or is misfiled in a location other than the 1726 correspondence of the Stuart Papers. It is possible, however, to develop some sense of their contents and consequently understand more about their impact. The Scottish Jacobite George Lockhart was also deeply concerned about speedily settling the royal breach. He offered suggestions toward that end and may have made his own proposal concerning a reconciliation between James III and his wife that was leaked. It is also from Lockhart that the contents of the main proposal contained within Orrery's memorial to James III can be identified: the immediate removal of Inverness so as to lure the Queen to return promptly. Lockhart discussed a document which was sent to Clementina, who along with:

her friends woud not encourage or hearken (which no doubt Lord Orrery proposed, to allure the King to come into a thorow reconciliation with the Queen), [although] it is not to be imagined she woud propale it, togather with the author, because he was too considerabel a man of the Torie partie to expose to such a hazard, and even a proposall from him, wherein any regard was shown to Inverness, did not make for her, who all alongst appealld to the Kings best friends and valued her cause in that they were convinced she had been ill used: and therefore it is still probable...that the discovery came from Inverness, who thought it woud raise his reputation and do him service, which he valud at a higher rate than his masters interest or the safty of the noble Lord, who he knew only favourd him at this juncture, to bring about a

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<sup>139</sup>RA, Stuart Papers 91/150. O'Brien to Inverness, 18 March 1726, N.S.

<sup>140</sup>RA, Stuart Papers 93/1. Inverness to O'Brien, 17 April 1726, N.S.

<sup>141</sup>RA, Stuart Papers 91/110. Inverness to Atterbury, 13 March 1726, N.S.

<sup>142</sup>RA, Stuart Papers 92/47. O'Brien to Inverness, Paris, 25 March 1726, N.S.

matter he (Inverness) was not fond of.

Lockhart concluded his reflections by writing that he suspected Inverness of indiscretions which forced the former's flight to avoid government arrest in 1727, and that 'in this fact the odds lyes against him, that he was the person who made publick this secret transaction and thereby exposed a person of the first rank and merite [i.e. Orrery] to great danger'.<sup>143</sup>

Though the context is admittedly confusing, Lockhart seems to suggest here that the English Jacobites saw Inverness's removal as the solution to a grave problem that needed immediate attention if James III had any hope of procuring Austro-Spanish assistance and maintaining credibility and thereby, support, in Britain. It seems even more obvious that Orrery's role in making this suggestion was crucial, and this point cannot be overemphasised because it explains much of his behaviour in Paris. Lockhart's allusion to the 'author' of the proposal as 'too considerabel a man of the Torie partie' can hardly refer to anyone else. The reference to that same author undergoing exposure to 'such a hazard' certainly corresponds with Lady Sandwich's remarks about the widespread publicity surrounding the memorials. More importantly, it helps justify both Orrery's hasty departure and abbreviated stay, as well as his reluctance to see O'Brien, who was devoutly loyal to Inverness. Orrery was already under close government surveillance, and the publicity surrounding the memorials only compounded his anxiety. His authorship of the memorials calling for Inverness' removal also serves as the only viable explanation for Atterbury's almost whimsical letters defending Orrery's conduct. In other words, despite his professions to O'Brien and Inverness, Atterbury clearly agreed with the need to remove Inverness and hindered the efforts of both he and O'Brien to uncover the truth about their composition by downplaying and lying about his contacts with Orrery.

There is ample evidence suggesting that Atterbury acted through Orrery to heal the breach by urging Inverness's removal. As with many fellow Jacobites, Atterbury was deeply concerned by the consequences of the royal estrangement.<sup>144</sup> After discussing the subject with a prominent Jacobite Catholic priest affiliated with the Scots College in Paris, they agreed that it seemed Satan had obtained a 'Licanse' from the Almighty to spoil the best prospects for a Jacobite restoration since 1689. Semple was told by Atterbury's son-in-law that the

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<sup>143</sup>*Lockhart Papers*, ii, 322.

<sup>144</sup>In 1726 Semple reported that Atterbury had recently received 'a Paper pr. in London entituled the "Chevalier's Reasons for Seperating"' which he sent to Rome: CUL, Ch (H) MS #1281. [? J. Semple] to Horatio Walpole, 13 Feb. 1726.



exiled bishop was melancholy about James III 'being expos'd' when the Emperor was on the verge of assisting him.<sup>145</sup> Yet Madame de Marche claimed Atterbury told her that he had not written anything to Orrery 'since his being at Paris, or out of England, nor indeed would not be fond of doing to anyone who honours Me des Marches wt his confidence'.<sup>146</sup> More subtle, contradictory proof can be inferred from several letters Atterbury wrote defending Orrery's character and praising his abilities. Atterbury directly contested allegations by Inverness that Orrery had contacted Mar while in Paris, arguing that Orrery 'never did, nor would he see him [Mar], so that Mar lies, if he sustains the contrary, for I have it under Lord Orrery's hand';<sup>147</sup> thus Atterbury disclosed his correspondence with his secretive former pupil. Atterbury also fiercely refuted Inverness' criticisms of Orrery's excessive secrecy. He went to great lengths to explain why Orrery (as far as Inverness knew) had failed to visit him, admitting that it might seem 'extraordinary' that Orrery was in close contact with Madame de Marche yet avoided him, which Atterbury: 'could have contriv'd for him privately. But very extraordinary things are sometimes very true & this is one of them'. Atterbury insisted he had 'neither directly nor indirectly' had any form of correspondence with Orrery, instead learning 'round about by others' what Orrery's views were and what 'he thought, said & did while he stay'd here, after all', Atterbury argued, even though he and Orrery 'differ[ed] a little in their Temper & manner of conduct' they were 'very good Friends & likely to continue so'. Thus, he hoped that this explained what had proven a 'Riddle' to Inverness.<sup>148</sup> A month later Semple described how Atterbury had entered into a similar, unusually lengthy and amiable reflection on Orrery's merits:

as to Ld Orrery himselfe Says he [Atterbury]: I find Peopel, and those thats most Intimate with him; speak Rashly of him, and is more Condemn'd by the Jacobites in Generall for his Nocions; and Manner of acting that aney one man of the party. But says he Ld Orrery is a Good man and Means well for the Cause, so the Littel failings he may have; ought to be Indulg'd in him, and not' taulked of by Honnest men.<sup>149</sup>

For months O'Brien and Inverness continued in their attempts to discredit Madame de Marche

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<sup>145</sup>PRO, SP 78/182/189. [Semple] to Horatio Walpole, 14 Dec. 1725.

<sup>146</sup>RA, Stuart Papers 92/65. Inverness to O'Brien, Rome, 25 March 1726, N.S.

<sup>147</sup>*Memoirs of Atterbury*, ii, 362; cf. RA, Stuart Papers 92/98. Atterbury to Inverness, Paris, 1 April 1726, N.S., in which Atterbury claims he had himself warned Orrery about Mar.

<sup>148</sup>RA, Stuart Papers 92/98. (autograph) Atterbury to Inverness, Paris, 1 April 1726, N.S. Earlier Inverness had confided to O'Brien that Madame de Marche had 'flattered' Atterbury by 'telling him the good opinion that 1297 [Orrery] had of him which he has swallowed, overlooking the resentment I don't doubt he has' from--as Inverness believed--Orrery's refusal to visit Atterbury in Paris: RA, Stuart Papers 91/120.

<sup>149</sup>Semple was so taken aback by these remarks that he suspected Atterbury was lying to him, scribbling in the margin of his report: 'This confirms to me that Orrery and the Bishop is not well together': BL, Add. MS 32745, f. 544. Semple to [Horatio Walpole?], 4 May 1726, N.S.

and ridicule Orrery's indiscretion and confidence in her, but they seem never to have fully discovered the truth about Atterbury's role in the memorials. After Orrery's return to London O'Brien confidently announced that 'je scay positivement quil ny à eu au qun commerce entre' Atterbury and Orrery 'tant que ce dernier a reste a Paris et Atterbury na rien sceu des dits Memoires qu'apres le depart de Orrery'.<sup>150</sup> It is also interesting to point out that although letters discussing Orrery and the controversial memorials were exchanged for several months, there are very few references to Orrery having any association with the Comte de Marche, perhaps confirming Atterbury's assessment of him as 'one of the most stupid libertines' in Paris. Atterbury also believed that the Comte was a frequent guest of Horatio Walpole's, which would further explain Orrery's minimal contact.<sup>151</sup>

It is conceivable, although not very likely, that Orrery received a proposition from Horatio Walpole and was considering defection. Regardless, he certainly must have expected the presence of Hanoverian agents in Paris and deemed it in his best interest simply to trust as few people as possible while there. Orrery probably did not learn that Semple was supplying reports of the ex-bishop's activities to Horatio Walpole, despite Swordfeger's alleged contacts with Semple; if Orrery had made the discovery, then his reluctance to see Atterbury would have been all the more easily explained. Furthermore, Orrery was completely justified in exercising the utmost caution regarding communications with a figure under constant surveillance such as his former tutor, because Horatio Walpole was instructed with an aim at Orrery's apprehension:

Orrery I find is now at Paris, Lord Wharton returning from Vienna with a Copy given him by Ripperda of the King's letter to The King of Spain in May 1721 upon the affair of Gibraltar with which I suppose His Grace means to exasperate the Nation and Parliament...Wharton will probably call in his return at Paris in order to consult with Lord Orrery and the Bishop; it would be of great Service if you could collect proof of either Lord Orrery or the Duke of Wharton's having seen the late Bishop of Rochester; though this would be very difficult yet if it could be obtained it would do our work at once.<sup>152</sup>

Such an important letter in the hands of a recognised opposition figure and Jacobite such as Orrery could have posed a serious threat to the government and possibly even brought about the fall of Walpole's ministry. Another letter from Semple described how minor Jacobites and hangers-on were terrified of being connected with Orrery for fear of apprehension,<sup>153</sup> proving

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<sup>150</sup>RA, Stuart Papers 92/94. O'Brien to Inverness, Paris, 1 April 1726, N.S.

<sup>151</sup>BL, Add. MS 32746, f. 461. Semple to Horatio Walpole, Paris, 19 July 1726, N.S.

<sup>152</sup>BL, Add. MS. 33199, f. 331. Newcastle to Horatio Walpole, Whitehall, 15 Nov. 1725, O.S., [endorsed] 'Very Private'.

<sup>153</sup>Semple repeated a story to his employer of how the Jacobite Lord Garless, upon being informed at Versailles that Paris coffee-house talk rumoured him to be 'Ld Orrery's Deputy',

that he must have been under close surveillance. Furthermore, Atterbury was himself critical of Orrery's timidity, yet according to Semple, was compelled to condemn the indiscretions of that 'horrid fellow' Simon Swordfeger, who reportedly bragged in the company of strangers about Orrery sending money to Wharton, who 'did nothing but by Ld Orrery's Directions'.<sup>154</sup> Semple also recorded evidence that further confirms Orrery's clandestine contacts with Atterbury during his stay in Paris.<sup>155</sup>

Finally, Orrery's avoidance of O'Brien may have been prudent. If a letter from one of Walpole's French spies can be believed, it seems O'Brien himself was either a double agent or at least tricked and prevailed upon to reveal secrets concerning Orrery and the memorials. An undated letter apparently written sometime in January 1726 provides these monumental disclosures. The agent announced he had 'ete plusieurs foi chez brian' and learned of 'un commerce Secret entre mi lord Orreri et l Eveque'. Although one cannot determine for certain if 'brian' and Colonel O'Brien were one and the same, the agent's next sentence mentions the two letters 'par maniere d'apologie au sujet de la derniere affaire de rome' and concludes: 'Jay vu le Collonel O'Brian qui ma promis deme les communiquez' and additional news on 'tous cette affaire' soon.<sup>156</sup> It should be said that this account comes not from Semple but from a shadowy figure Horatio Walpole described as among his most 'diligent' agents. If reliable, it suggests a serious breach of security with a figure closely related to the Pretender's head of affairs in Rome. If Orrery was somehow aware of O'Brien's treachery, this would further explain why he ignored O'Brien's entreaties for a meeting in Paris.

Understandably, Inverness never regained any small degree of confidence he possessed for Orrery after the memorials incident, and as he learned more he took less care to conceal his contempt for Orrery and his excessive caution. In a letter that discussed the possibility of Wharton's coming to Paris, Inverness somewhat snidely observed that Orrery was 'so very Cautious that I scarce believe he would care to treat with you'.<sup>157</sup> Since Orrery was to be in Brussels, Inverness also regarded the Austrians' decision not to send an emissary to Brussels

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consequently 'had so Great Effect on him that it made him [Garless] Return Hurriedly to Paris, which to me smells like Guilt': BL, Add. MS 32745, f. 383v.

<sup>154</sup>BL, Add. MS 32745, f. 543. Semple to [Horatio Walpole?], 4 May 1726, N.S.

<sup>155</sup>Upon a visit to Atterbury Semple described how: 'I was desired to stay in an outward Room and presently Morris came out from the Bishop with a candle and a letter in his hands, and the Servant told me afterwards he was gone to Lord Orrery's': BL, Add. MS 38504, ff. 126-29. (Copy), Semple to [Horatio Walpole], [endorsed 'in Mr. Walpole's 3 Dec. 1725']; cf. RA, Stuart Papers 92/98.

<sup>156</sup>PRO, SP 78/182/200. La Roche to Horatio Walpole, Paris, n.d.

<sup>157</sup>RA, Stuart Papers 89/122. Inverness to Wharton, 19 Jan. 1726.

as fortuitous: 'in case that Lord [is] inclined to go there ...I may say to you in confidence that all things considered perhaps it mayn't be unlucky that a person that a person was not sent out of hand from Vienna to Paris'. Another confidential remark made shortly thereafter revealed the genuine bitterness Inverness felt towards Orrery, and provides additional suggestions of the contents of Orrery's memorials. Inverness confided to O'Brien:

I had not mention to you anything more either [of] Ld Orrery or Mr. Dillon, Since it appears that this character of a Hero is to be gott without the true principles of honour & that of a wiseman, without common prudence at least in some cases. It is rather an advantage not to be spoke well of by some people, and I have no Scruple in placing Mde de Marche among that number.<sup>158</sup>

Inverness never recovered his former degree of prestige in Rome. Along with increasing criticism of him and some of James III's other top Scottish and Irish advisers and agents by people such as Atterbury, the memorials incident led to the resignation of Inverness in 1727.<sup>159</sup> The leading Jacobites' inability to cooperate effectively underscored jealousy and rivalries which crippled their hopes of a restoration and did not go unnoticed by foreign ministers whom they attempted to impress.

### III

It had been an open secret that Wharton was in Vienna asking for Austrian aid.<sup>160</sup> He had been instructed to insist that the Austrians dispatch an envoy to travel first to Paris, presumably to meet with Orrery, and then proceed to London and confer with a waiting Strafford and Charles Caesar.<sup>161</sup> Believing war certain, and despite the expulsion of one of the main ministers employed in Vienna with whom Wharton had negotiated, Count Ripperda,<sup>162</sup> the Austrian court contemplated the dispatch of the envoy to assess popular Jacobite support. Orrery was to be informed by O'Brien of the particulars of a planned landing of 4,000 Austrian troops in the West Country, and it was probably this information which the latter

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<sup>158</sup>RA, Stuart Papers 92/14.

<sup>159</sup>North & Grey had expressed interest in filling the vacant Secretaryship, but the Pretender awarded it to Graeme, his agent in Vienna: *Lockhart Papers*, ii, 336-37, 347.

<sup>160</sup>A paragraph in George I's speech in February 1726 was believed to have referred to it: HMC, *Portland*, vii, 419. While Orrery was gone to France Cecil had dined with Argyll and the topic of conversation had turned to the reasons for Wharton's mission: RA, Stuart Papers 87/114. James Hamilton to Inverness, London, 24 Nov. 1725, O.S.; and Hamilton's letter to James III, in *idem*, 87/62, dated 9 Nov. 1725, O.S.

<sup>161</sup>*Letters of Atterbury*, i, 322; RA, Stuart Papers 88/9. Inverness to Wharton, Rome, 8 Dec. 1725.

<sup>162</sup>For Wharton's conferences with Ripperda in Nov. 1725 see RA, Stuart Papers 87/1-150, *passim*.

had attempted unsuccessfully to convey while Orrery was in Paris.<sup>163</sup> To facilitate an invasion, there was some consideration of the Pretender himself journeying to Brussels to reside under the Emperor's protective sanction.<sup>164</sup> After it was decided this was too dangerous, plans were revised to divert the Austrian envoy instead to Brussels to meet with Orrery there, but then the plan fell through completely.<sup>165</sup> In the interim the Imperial Council debated Wharton's proposals and Prince Eugene swayed it into rejecting them outright in February 1726.<sup>166</sup> Continuing negative publicity over the royal estrangement, the effects of the memorials controversy, and the concomitant ill will engendered between the English Jacobites and Inverness and others in Rome, coalesced to hinder Jacobite efforts in Vienna and Madrid in the following months.<sup>167</sup> Consequently, the predicament led the Jacobites to squander what was probably one of their best opportunities of the 1720s.<sup>168</sup>

In late January Orrery secured his alternate lodgings for 'some months longer' and it was thought that he would remain in Paris for some time. He had made it known that his party would journey to Flanders and Holland, which he viewed as a 'very good effect of the disagreeableness' of Paris,<sup>169</sup> before returning to Britain via Calais. Yet his entourage seems to have departed the French capital in early February.<sup>170</sup> Despite his departure rumours about his activities abounded. Semple claimed that it was whispered Orrery would rendezvous in Brussels with North & Grey and Wharton, who was then to proceed to Madrid.<sup>171</sup> It is known that, Orrery and his son visited longtime Jacobite exile Lord Ailesbury while in Brussels, as

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<sup>163</sup>See above, p. 412.

<sup>164</sup>RA, Stuart Papers 89/122. Inverness to Wharton, 19 Jan. 1726.

<sup>165</sup>Orrery was to be notified of details about the meeting through O'Brien: RA, Stuart Papers 90/10. Inverness to O'Brien, 23 Jan. 1726, and 91/24. Inverness to O'Brien, 27 Feb. 1726.

<sup>166</sup>HMC, *Portland*, vii, 419. Later in the year the Austrians refused a similar proposal for 6,000 troops. Eugene reportedly let Graeme know that foreign assistance was not the panacea the Jacobites imagined, because the Prince 'knew personally most of the men of quality' in England and that those who were Jacobites were not 'sufficiently qualified for heading a party': RA, Stuart Papers 98/132. Graeme to Inverness, Vienna, 2 Nov. 1726, N.S.; cf. Black, *British Foreign Policy*, pp. 140, 146.

<sup>167</sup>James III had hoped in December 1725 that his restoration would be incorporated as an article of an projected alliance between Austria, Russia, Sweden, and Spain; Glover, *Letters of Atterbury*, i, 321.

<sup>168</sup>In late 1726 the bellicose Austrian envoy in London, Count Palm, was convinced that two-thirds of the British people were opposed to war with Spain and the close Anglo-French alliance, and that support for the ministry was correspondingly low: Coxe, *Walpole*, ii, 504.

<sup>169</sup>RA, Stuart Papers 89/128. Francis Panton to Wharton, Paris, 21 Jan. 1726; BL, Add. MS 61830, ff. 61-62.

<sup>170</sup>RA, Stuart Papers 91/7. Atterbury to James III, 25 Feb. 1726; PRO, SP 78/183/87.

<sup>171</sup>BL, Add. MS 32745, f. 542. Semple to [Horatio Walpole?], 4 May 1726, N.S.; *Memoirs of Atterbury*, ii, 364.

well as Orrery's old acquaintances from his embassy a decade earlier.<sup>172</sup> Semple also passed along tantalising gossip about a Jacobite coalition with Pulteney, Wharton, North & Grey, and Orrery, the latter having received 'full and Proper Instructions' on how to 'Undermind (sic) and Perplex the Government which they are Resolved to Carrey on by the most occult Methods', provided Le Duc lost favour in Paris. Orrery called at The Hague to pay his respects in a very brief two day visit, supposedly to coincide with entreaties North & Grey had made there and according to Semple, to 'Leet them Know the Deposition he finds the French Court in whose Present Council was but very weak & Being govern'd by a head without Brains'. Semple's disbelief of Dutch favouritism of the Jacobites was met with by sources' inebriated assurances 'that three of the Principals of them [the States General] war (sic) as Great Jacobites as himselfe [North & Grey]'.<sup>173</sup>

Aside from the confusion stemming from the memorials, there is also little more than rumours and innuendo from which to construe assessments of any lasting achievements of Orrery's mission to Paris. As usual, different Jacobite sources claimed different French ministers were inclined to support them at any given moment and, as already discussed, there are few records of Orrery being granted an audience with any of them. Semple purported that Orrery had engaged in correspondence with one, Monsieur le Blanch and, in a very interesting report to Horatio Walpole, Semple expounded further by repeating stories he had heard:

I Desir'd they would tell me what could be the Design of his [Orrery's] Corresponding with Ld Blanch and Seeing those Peopel who had not the Lest Credit in the Government and Consequently could Render no Service Besides this Report of Being well with them might be only Conjector'd -to this they Reply'd that they were Sertain of what they Say'd, and that Ld Orrery Knew what he Did an it was not a bad Polytick, haveing all the Reason to Belive that the Orliance Party would come into Play Some time or other.<sup>174</sup>

By the summer of 1726 Atterbury was convinced Le Blanc was pro-Jacobite and that his influence predominated in French affairs,<sup>175</sup> while Le Duc had assisted the British government and was hostile to their aspirations.<sup>176</sup> Rumours persisted, however, that Orrery and French Foreign Minister Torcy had come to an agreement regarding the Pretender's future.<sup>177</sup> Orrery's

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<sup>172</sup>*Orrery Papers*, i, 45-46. Lord Boyle to Mr. Kempe, Brussels, 18 Feb. 1726, N.S.

<sup>173</sup>CUL, Ch (H) MS Corr. #1281. [J. Semple?] to Horatio Walpole, 13 Feb. 1726, N.S.

<sup>174</sup>CUL, Ch (H) MS Corr. #1281.

<sup>175</sup>Atterbury also doubted whether Madame de Mézières enjoyed his favour: RA, Stuart Papers 95/70. Atterbury to Inverness, 8 July 1726. Semple reported rumours to the contrary about Le Blanc the same month: BL, Add. MS 32746, ff. 343-44.

<sup>176</sup>BL, Add. MS 32746, f. 140.

<sup>177</sup>PRO, SP 78/184/68-69. [Semple ?] to Horatio Walpole, 7 July 1726.

plans for another journey to Paris in 1731 may suggest that he did have some secret contacts in Louis XV's court for which more extensive evidence has yet to be uncovered.

Orrery had returned to London by 3 March 1726, O.S.,<sup>178</sup> yet his attendance in the Lords did not resume until 20 April. He attended only six times in the first half of 1726.<sup>179</sup> Strafford led the paltry opposition in his absence in opposing treaties and the King's speech in February.<sup>180</sup> Orrery attended a debate and protest against adjournment to avoid further consideration of the King's Speech on 20 April.<sup>181</sup> Similarly, the following year's session provided few opportunities for the opposition to raise its feeble voice.<sup>182</sup> Orrery signed three protests on measures against Spain and the King's Speech on 24 January 1727,<sup>183</sup> and he, Aberdeen and others protested the passage of the Malt Bill on 19 April.<sup>184</sup> In May Orrery managed a conference between peers and MPs in discussions of a Bedfordshire highways bill.<sup>185</sup> Despite these activities, Orrery's limited attendance in 1727 reflected his pessimism. He was present in only 44 out of 76 sittings between January and June, although he did exhibit greater interest in committee activity during this session, because many of the occasions when he attended saw the reading of reports from committees to which he was nominated.<sup>186</sup> After 1721 Orrery held no more lords' proxies, with the exception of two occasions in 1727 when he held Lord Windsor's.<sup>187</sup>

Up to the 1740s and the renewed hopes which culminated in the movement's final moments of glory in the Forty-Five, the years 1727-1739 were probably the nadir of Jacobitism. Increasing political stability and economic prosperity, coupled with Britain's decision to remain aloof from continental crises and wars which diverted resources of the potential

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<sup>178</sup>RA, Stuart Papers 91/55. James Hamilton to Inverness, London, 3 March 1726.

<sup>179</sup>LJ, xxii, 649-54, 660-87.

<sup>180</sup>BL, Add. MS 31141, ff. 327-32.

<sup>181</sup>This protest was signed only by Orrery, Oxford, Strafford, Bruce, Aberdeen, and a few others: LJ, xxii, 649-50; Timberland, iii, 451-52; *Protests*, i, 382-83.

<sup>182</sup>For an account of the near hopeless political situation see Orrery and Cecil's letter to the Pretender of 6 Aug. 1726 in RA, Stuart Papers 96/17.

<sup>183</sup>LJ, xxiii, 16-18; *Protests*, i, 384-89. See also the MS protest and list of protesters on the King's Speech in RA, Stuart Papers 90/17; and similar copies in some little-used papers of Lord Townshend: NLS, MS 2667, ff. 76-81, manuscript Lords protests dated 24 Jan. 1727.

<sup>184</sup>*Protests*, i, 389-91; LJ, xxiii, 106. There is a handwritten MS draft of the Malt Bill protest in BL, Add. MS 40836, ff. 20v-21.

<sup>185</sup>LJ, xxiii, 135.

<sup>186</sup>LJ, xxiii, 3-137, *passim*.

<sup>187</sup>HLRO, MS Proxy Book, vii. Windsor returned the favour for the 5th Earl of Orrery in 1732: BL, Add. MS 31142, f. 69. Windsor had earlier also evidently adopted the 4th Earl of Orrery's Jacobite tendencies and visited Atterbury in Paris in the 1720s: PRO, SP 78/184/81.

providers of the military assistance that the Jacobites needed to launch an invasion, all combined to contribute to this unfavourable predicament. Conditions in Parliament remained unpromising. Estimating the number of 'honest' peers, James Hamilton grimly observed that the episcopacy and all the Scottish peers were court supporters, as well as 'the Place Peers and the other Pentionary Lords; so that it is rather matter of wonder that the Court meets with the opposition they doe'.<sup>188</sup> Hay had remarked in early 1725 that the caution displayed by Orrery and Caesar was 'very commendable', provided that it did not impede 'transactions at home' which might require a 'little Spirit', an element which was definitely lacking by the mid-1720s.<sup>189</sup> In a lengthy letter dictated to Cecil, Orrery observed that 'proper opposition' was of manifest usefulness, yet the Tories were 'not only broken among themselves & without concert...[but] very apt to refuse to join even in Parliament with the discontented Whigs'. The result was a party lacking in 'any vigour themselves', awed by widespread corruption and the arbitrary prosecution of anti-government printers.<sup>190</sup>

Orrery's comments displayed his awareness of the fundamental need for cooperative action which proved a hallmark of the Patriot Opposition to Walpole in the 1730s. Despite the unfavourable political situation and ambiguities surrounding the Pretender's reaction to Orrery's role in composition of the memorials, he nevertheless continued to relay assurances of popular goodwill toward the Stuarts and advocated a coordinated invasion effort. Orrery's preferred plan circa 1727 proposed utilising Irish and Scottish troops, a diversionary landing in Ireland, and another main landing on the banks of the Thames, with London's capture an immediate and primary objective.<sup>191</sup> The decreasing likelihood of launching such an effort and the opposition's disunity depressed Orrery and left him with unfavourable assessments about the nature of the movement which he served as English leader. In January 1727 he explained somewhat ironically that he had been trying to bring about a restoration for years but the 'diffidence of one another, the Indolence of many, the timorousness of some & the wrong notions of others' rendered it increasingly difficult. Parliament was composed of mere 'Mercenaries introduced into the house, by violence and Corruption' and commanded like 'the meanest servants'. Although the people were still inclined in James III's favour and there was support in the City and Ireland, and the coasts were lightly guarded, regular

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<sup>188</sup>RA, Stuart Papers 103/80. Hamilton to Inverness, [London], 11 Feb. 1727, O.S.

<sup>189</sup>RA, Stuart Papers 79/17. Hay to James Hamilton, 6 Jan. 1725, N.S.

<sup>190</sup>RA, Stuart Papers 96/17. Orrery to James III, [Marston?], 6 Aug. 1726, O.S.

<sup>191</sup>RA, Stuart Papers 96/17.



troops and the element of surprise were essential for any attempt, which Orrery thought 'ought to be made I think very soon, whilst the present Spirit lasts'.<sup>192</sup> There was also a renewed threat of the suspension of Habeas Corpus.<sup>193</sup>

Other signs belie Orrery's growing dejection and his desire to distance himself from figures who could implicate him. The year 1725 saw the beginning of a decline in Orrery's relationship with the agent James Hamilton, who had remained in Holland through the previous spring. Following Orrery's release from the Tower, Hamilton was considering retiring to Rome with his approval, which letters indicate was granted.<sup>194</sup> After receiving money from Rome to facilitate the journey, James III persuaded Hamilton his continued conveyance of letters would be more useful and he was instructed to return to Britain upon Orrery's authorisation.<sup>195</sup> Hamilton refused to wait, however, and despite Orrery's preference that he delay resumption of his London residence, he returned from his seclusion on the Continent in May 1724. Soon Hamilton began to complain that his 'subsistence' was being neglected, announcing in 1725 that Caesar, Orrery, Cecil and others could hardly be persuaded to give a 'six pence towards his Support'. As a consequence, he threatened to resign his ill-defined capacity, to which they resolved to 'let the correspondence drop and retire to their private affairs in the country'.<sup>196</sup> It is not entirely clear whether Orrery's diminished contacts with Hamilton were motivated because of fears he would attract the attention of government agents or because Orrery's own finances were in no condition to contribute greatly to support Hamilton. The answer is probably a combination of both of these. Orrery also began to place greater confidence in his longtime friend, Colonel William Cecil, who assumed increased responsibilities in Orrery's Jacobite correspondence and activities after 1724.<sup>197</sup>

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<sup>192</sup>RA, Stuart Papers 102/65, letter dated 28 Jan. 1727. Orrery was apparently so reluctant to write to James III during this period of friction with Austria that this letter was dictated to Cecil, who wrote it while he was suffering from a shoulder injury: RA, Stuart Papers 102/71. James Hamilton to Inverness, 28 Jan. 1727.

<sup>193</sup>RA, Stuart Papers 101/26. James Hamilton to James III, London, 15 Jan. 1727, O.S. Suspension of Habeas Corpus was the subject of a Commons debate in the spring of 1727: 'Diary of Sir Edward Knatchbull', p. 69. Disgruntled Whig Lord Lechmere had been threatened with the Tower in March 1726 for drawing up a Lords protest which was thought excessively 'disobliging' to George I: RA, Stuart Papers 91/54.

<sup>194</sup>In November 1723 Orrery had speculated that Hamilton 'will probably be able by word of mouth to give You a better insight into the characters of persons and into the state of your business' than a letter could and expressed hopes that Hamilton had arrived safely: RA, Stuart Papers 70/47. Orrery to James III, 15 Nov. 1723. Hamilton also offered to send his wife to serve as a nurse to the Pretender's children: *idem*, 79/73.

<sup>195</sup>RA, Stuart Papers 70/142. Hay to James III, Rotterdam, 3 Dec. 1723; also *idem*, 68/72, and 73/100.

<sup>196</sup>RA, Stuart Papers 74/58, 75/78, and 81/7.

<sup>197</sup>RA, Stuart Papers 77/163. Hay to James Hamilton, 11 Nov. 1724. Several months later

One reason for the coolness between Hamilton and Orrery and other Jacobites was Hamilton's presumption of authority which was considered beyond his capacity. He particularly seems to have fallen afoul of Inverness. Although Hamilton's background is shadowy, it appears Inverness and other leading Jacobites came to view him as a social upstart. An embittered Lockhart called the 'ratleheaded' Hamilton a 'musroom' and a 'little pert insignificant fellow' who was the 'bastard son of ane Irish gentleman'. Hamilton had been engaged in Jacobite collusion with Menzies since 1715 and linked to Mar for nearly as long. Possibly for this reason, Lockhart believed Hamilton had 'turn'd prodigious vain' and 'pretended to be intierly trusted' by leading English Jacobites.<sup>198</sup> Lockhart's bitterness aside, Inverness expressed surprise that Hamilton's English friends neglected his interests,<sup>199</sup> and had earlier held high opinions of Hamilton's caution and the related 'security of his [Orrery's] correspondence'.<sup>200</sup> By late 1724, however, the then John Hay gingerly reminded Orrery that 'honest and faithful' as Hamilton was, his 'Proper business' was the conveyance of letters.<sup>201</sup> Hay later advised his envoy in Vienna that Hamilton was unauthorised to be 'judging what is proper to be comunicated' to Orrery, and that except for accounts of public affairs, 'little is to be depended upon' in Hamilton's letters.<sup>202</sup>

Another complication came when Hamilton was arrested by the government in 1726 and 'sevearly used for Severall Days'.<sup>203</sup> He was soon released, ostensibly because nothing was proven against him rather than to allow him to continue his activities and implicate others.<sup>204</sup> The latter scenario does not seem to have occurred, because shortly thereafter he

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Hamilton's debts of £100 remained unpaid and he complained that a commission from Rome would avail little because his English Jacobite friends 'choose their own Confidants': *idem*, 79/90.

<sup>198</sup>*Lockhart Papers*, ii, 348-49; and RA, Stuart Papers 87/36. There are scattered references to Hamilton using the epithet 'little Hamilton': e.g., see RA, Stuart Papers 70/88. James III to Orrery, 22 Nov. 1723; and also 79/73. Apparently employed by and acquainted with figures close to the Duke of Hamilton, James Hamilton once considered accompanying the young duke on his grand tour.

<sup>199</sup>RA, Stuart Papers 75/78. Hay to James Hamilton, 8 July 1724.

<sup>200</sup>RA, Stuart Papers 70/40. Hamilton also used his wife to convey and forward Jacobite correspondence, but claimed she was unaware of their contents: *ibid.*, 69/47. James Hamilton to James III, 28 Sept. 1723, N.S.

<sup>201</sup>RA, Stuart Papers 78/173. Hay to Orrery, Rome, 30 Dec. 1724, N.S.

<sup>202</sup>RA, Stuart Papers 93/106. Inverness to Sir James Graeme, Albano, 11 May 1726. See also *idem*, 87/28, and 96/89. Hamilton had been active in relaying British newspapers to Rome since 1724: *idem*, 76/145.

<sup>203</sup>RA, Stuart Papers 96/28. James Hamilton to Inverness, 8 Aug. 1726, O.S.; *idem*, 96/110.

<sup>204</sup>On learning of his apprehension Atterbury confided to Inverness: 'They have taken up one Hamilton...who sometime managd Joddrel's [Orrery's] Correspondence': RA, Stuart Papers 96/110. Atterbury to Inverness, Paris, 26 Aug. 1726.

was again meeting with Orrery and purporting to write the latter's letters so as not to deprive the Pretender of 'the thoughts of so great a man'.<sup>205</sup> It was clear, however, that Orrery was unwilling to risk further imprisonment because of Hamilton, whose next letter announced that Orrery's 'Amanuensis for the future' would be Cecil, for 'poor Hamilton lay too open by the indiscretion of the last'.<sup>206</sup> Criticism of Hamilton continued from other quarters.<sup>207</sup> Inverness castigated him for tardy dispatches of news to agents in Vienna and exaggerated accounts of public affairs in Britain, both of which were detrimental to efforts to win Austrian support.<sup>208</sup> Anne Ogelthorpe became so infuriated at Hamilton in early 1727 that she refused to employ him again, adding that he was 'full of Selfe opinion, obstinate like a devell and never to be put out of whatt he once has put in his nodell'.<sup>209</sup> In 1727 Hamilton was again complaining that he had 'not a six pence' from Orrery and Caesar recently.<sup>210</sup> He continued to convey letters for Orrery as late 1728-1729, but for some unknown reason he seems to have had little contact with Orrery after 1730.

#### IV

Upon the unexpected death of George I and the accession of his son, Orrery's old acquaintance, the Prince of Wales, to the throne of Great Britain, Tories and Jacobites alike flocked to pay respects to the new sovereign. Political changes in Britain were all encompassing, reflected even among the cloistered walls and collegians of Orrery's Christ Church, where Dr. Stratford was moved to remark on the recent appearance of divisions into whig and tory camps, 'a thing hitherto unknown in that place'.<sup>211</sup> The actions of at least some Tory and Jacobite peers were perhaps a subtle demonstration of their true motives for embracing Jacobitism: they simply sought preferments, regardless of the sovereign's identity. Like many Tories, including Bathurst, Gower, Lichfield, Scarsdale, Strafford and others,

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<sup>205</sup>RA, Stuart Papers 96/28. James Hamilton to Inverness, 8 Aug. 1726.

<sup>206</sup>RA, Stuart Papers 96/39. James Hamilton to Inverness, 10 Aug. 1726.

<sup>207</sup>Hamilton was thought dilatory in sending Wharton's funds to uphold his social rank and status in Vienna. Consequently, Wharton suffered lost prestige while trying to negotiate for support: RA, Stuart Papers 87/86. Graeme to Inverness, Vienna, 17 Nov. 1726, N.S.

<sup>208</sup>RA, Stuart Papers 98/147. Inverness to James Hamilton, 6 Nov. 1726. Hamilton was informed that the 'Representations of our enemies have already taken place before yours arrive'.

<sup>209</sup>RA, Stuart Papers 103/68. Anne Ogelthorpe to Inverness, 10 Feb. 1727, O.S.

<sup>210</sup>RA, Stuart Papers 108/44.

<sup>211</sup>HMC, *Portland*, vii, 441. Stratford to Oxford, 18 July 1726.

Orrery flocked to court to wait upon the new sovereign,<sup>212</sup> and attended the Lords on 27 June to swear the oaths.<sup>213</sup> He was compelled to write a long, almost contrite, epistle to the Pretender explaining their actions in terms hardly 'comfortable to you or pleasing to myself'. On hearing the news of George I's death, Orrery related how most leading Tories:

that were then in town took a resolution to go together to the court which they concerted before I came out of the country, if I had thought that measure wrong I should however have been of opinion not to dissent from 'em upon such an occasion but upon full Consideration of all circumstances, I thought the Step was right so I went too, & now I think the whole party in a manner, some few accepted, have appeared there, where their reception has been gracious enough to alarm those that now possess the places, but...as far as I can find by which any judgement can be made how far there is any inclination in the Court to offer 'em any considerable Share of favour. There are some among 'em I fear that would accept anything that Should be offer'd [and] there are others (I believe very few) that are against accepting any thing. The middle opinion which seems to be the most reasonable is not to aske any employment, nor to take any, unless the principal persons of the party are employ'd, & have such a proportion of power & will enable 'em to do justice to their country & Service to their Friends but not to refuse if that should be the case. The party has been so miserable divided of late, the disposition among'em to run into ye Court, I have perceived has been for some time [so] Strong that nothing but inculcating this resolution upon this great turn cou'd have prevented the party breaking all to peices (sic) & detaching themselves one after another into the Court. I therefore thought it best in our wretched condition to labour all I cou'd to keep our friends as far as possible together, & not to Separate whither in or out of employment.

Orrery further explained that the numbers which could have been dissuaded from attending the court were so small that they would only enhance the pretext for severity used in the previous reign, thereby strengthening the court and frustrating attempts for the Jacobites to obtain foreign aid. Orrery's assessment concluded with descriptions which could hardly have displayed more melancholy. He lamented this 'unforeseen event' and the unavoidable 'great misfortune' it had brought upon James III's restoration hopes, but 'long & fruitless expectation of seeing some Prince espouse your Cause with zeal & the great & continu'd oppressions of many of your best friends here had broken their spirits'. Heavy taxes and rampant corruption engendered a 'visible decay of virtue among the greatest familys of the nobility & gentry, in this condition twas no great wonder to see such a generall forwardness to run to Court in a new reign.' Orrery concluded that 'the only likely way to do you service as things are now is to disguise any good wishes for you'. Despite such a pessimistic pronouncement, however, Orrery tried to sound a positive note. The Jacobites were sad, it was true, but their dormant 'animosity' to the Hanoverians remained. Solicitations of foreign support should still be cultivated so that any future opportunity might be realised, since 'the uncertainty & instability of human affairs is not given to be despared of'. Finally,

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<sup>212</sup>See Perceval's letter of 14 June 1727 in BL, Add. MS 47032, ff. 17-18.

<sup>213</sup>*LJ*, xxiii, 145-46.

Orrery avowed: 'I shall always preserve my integrity that I shall wish & pray for your success as long as I live & that I will not faile to Support yr intrest at ye hazard of my life', a pledge made 'in sincerity of my heart; that you may not be Surprised or uneasie if I Should be forced openly to espouse that interest, which att the bottom I can never wish well to'.<sup>214</sup>

Other Jacobites sent similar, if less eloquent, letters to the Pretender, who had taken up temporary residence in Avignon to assert his claim. A Scottish observer was astonished at how former Jacobites were 'among those most prompt and ardent' in professing loyalty to George II.<sup>215</sup> Deploring the Anglo-Austrian reconciliation and the unexpected demise of George I, Charles Caesar believed some 'Tories even earlier, particularly such as Lord Bolingbroke could influence, had shown an inclination to quit their principles in hopes of preferment'.<sup>216</sup> Strafford's conviction was that the 'alteration here was so sudden and surprising (as no doubt it was to you) that no man knew at first what would be the consequence'.<sup>217</sup> Commenting on the unanticipated deaths of the Russian Czarina and then George I, James Hamilton remarked that two anonymous Jacobites he had spoken with (possibly Orrery and Cecil) expressed 'mortifying Sentiments', intimating they were contemplating retiring to the country permanently. Although he expressed misgivings as to whether any Tory peers would get places, Hamilton defended their court attendance as 'more a matter of prudence then (sic) of consiquence'.<sup>218</sup> A recent study of the period has identified the Jacobites' problems in 1727 as twofold; an understandable concern over how to solve the problem of declining popular support, as well the nagging issue of a fundamental conflict of interest in a movement seeking to restore a stubbornly Roman Catholic sovereign as the head of the Anglican Church. Coupled with wishful thinking for a lessening of hostility and an end to the political proscription which had characterised the years since 1714, it may well be that some Tories found continued support of James III equally distasteful as allegiance to George II.<sup>219</sup>

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<sup>214</sup>RA, Stuart Papers 107/150. (autograph) Orrery to James III, [London], 30 June 1727.

<sup>215</sup>*Lockhart Papers*, ii, 354; *Letters of George Lockhart*, p. 311. Lockhart to James III, Brussels, 28 July 1727, N.S.

<sup>216</sup>His June 1727 letter to James III is quoted at length in *House of Commons, 1715-1754*, i, 516.

<sup>217</sup>Mahon, *History of England*, ii, Appendix, xxxi. Strafford to James III, 21 June 1727.

<sup>218</sup>RA, Stuart Papers 108/44, 73.

<sup>219</sup>For these concerns see Paul Langford, *A Polite and Commercial People: England, 1727-1783* (Oxford: Clarendon Press, 1988), pp. 12-13, 16.

The accession's aftermath, and the Jacobites' curious reaction to that event, inevitably serve as a salient turning point and an appropriate place to pause and consider allegations of their defection from Jacobitism, or at least covert allegiance, to George II. Several recent studies of the Tory Party and the Jacobites which mention Orrery have consistently seen this as a watershed in his career as well, tarnishing him and Charles Caesar as 'erstwhile' Tory traitors who enjoyed government pensions after 1727 and only feigned loyalty to Jacobitism.<sup>220</sup> The principal evidence for Orrery's government pension is a remark made in 1742 during an oft-quoted encounter between an ousted, aged Robert Walpole, now Earl of Orford, and Sir Dudley Ryder. In a conversation that labelled Carteret as a Jacobite convert thanks to Sunderland's influence, and asserted that Cowper was 'reconciled to the Pretender', Walpole continued to describe Orrery as the 'secretary to the Pretender but [who] had a pension from that government, which he well earned'.<sup>221</sup>

The final chapter of the present study will undeniably show that Orrery was financially strapped by the late 1720s and that government remuneration would have provided much welcome income. Yet Orrery's two separate bank accounts for the late 1720s have survived intact, and careful examination fails to reveal any large or regular infusions of cash or unusual deposits after 1727, barring a single £4,000 deposit on 18 June 1728.<sup>222</sup> Orrery sold off East India Company bonds to raise money throughout 1728-1729,<sup>223</sup> and a long postponed trip he made to Ireland in poor health just prior to his death in 1731 was required by financial necessity; presumably, had he been in receipt of a pension the journey would have been unnecessary. Orrery's name is also missing from pension lists for the early years of George II's reign.<sup>224</sup>

The context of Walpole's remark is also strange and does not lend it credibility. The secretive Orrery could hardly be described as the Pretender's secretary; indeed Orrery was

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<sup>220</sup>Colley, p. 209; Bruce N. Lenman, *The Jacobite Risings in Britain, 1689-1746* (London: Eyre Methuen, 1980), p. 226; There are no letters to or from Caesar in the Stuart Papers after 1730, and he was reported as having visited Walpole several times 'early in the mornings' in 1729 and taking bribes: *House of Commons, 1715-1754*, i, 516-17; Valerie Rumbold, 'The Jacobite Vision of Mary Caesar', in Isobel Grundy and Susan Wiseman, eds., *Women, Writing, History, 1640-1740* (London: B.T. Batsford, 1992), p. 194.

<sup>221</sup>Harrowby MS, Diary of Sir Dudley Ryder, Doc. 21, pt. 2. p. 133, conversation dating from Feb. 1742.

<sup>222</sup>This sum may be explained by a mortgage which Orrery had arranged with Archibald Hutcheson. Orrery's bank accounts for 1727-31 are found in: Hoare's Bank Archives, MS Ledgers 29/214, 30/210, and 31/317; and the Royal Bank of Scotland Archives, Lombard Street, London, Glyn Mills/Childs Bank Accounts, CH/194/15/358.

<sup>223</sup>Hoare's Bank, Ledger 30/210.

<sup>224</sup>E.g., Bodl., MS Rawlinson C-445.

often faulted for not writing to Rome more frequently. The reference to 'that government' also seems odd. Walpole himself headed the government from 1722-1742; would he not have referred to 'His Majesty's Government', or simply 'the government', as having provided Orrery's pension? With spies and informants such as Semple and Mar, Walpole's intelligence system would have lessened Orrery's value as a high-level spy, and indeed his and Wharton's missions in 1725 demonstrate how little activity occurred of which Walpole lacked at least some knowledge. Arguments used against similar and more recent allegations of Orrery's government espionage in a previous chapter remain worth remembering.<sup>225</sup> Orrery made two trips to Paris on the Jacobites' behalf and was planning a third when he died. His obsession with secrecy and virtual paranoia would have made little sense had he been a government agent, for he would then have been encouraged to correspond often to gather more intelligence. If Orrery came to terms with Walpole in 1722, it is unclear why he remained imprisoned six months and emerged on the point of death; it was certainly a hazardous example to make of him.

Furthermore, as his Jacobite activities often demonstrate, Orrery's personality was also completely inappropriate for espionage. Abhorring, and perhaps unsuited for dissimulation and duplicity, as a diplomat in Brussels he was apparently too honest for his own good and too timid to achieve much of consequence during his later trips to Paris. Four years after George II's accession, and a few months before his own death, Orrery defended his integrity by pointing to the strict scrutiny to which his every move was subjected by the government. Reports of his plans to go to France had caused alarm since 'the people in power here who watch every motion I make & think me their greatest enemy because they cannot bring me to make such poor submissions as the rest of the Nobility have done, at least much the greatest part of 'em even those that pretend to be warmly yr friends[.] this situation puts me under great difficulties'.<sup>226</sup> It should also be pointed out that the plausibility of Ryder's conversation, and particularly its suggestions of Sunderland's and Cowper's Jacobitism, have been severely criticised by several recent studies.<sup>227</sup> Walpole swore under oath in Atterbury's trial that he did not suspect Cowper of Jacobitism, although hypothetically he was probably more willing to lie on Cowper's behalf and overlook that peer's suspicious behaviour than would have been the case for Orrery. Yet, if Ryder's remarks are unreliable for demonstrating Whig treachery in one direction, their validity can certainly be questioned

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<sup>225</sup>See above, Ch. 8, p. 312.

<sup>226</sup>RA, Stuart Papers 146/88. Orrery to James III, London, 25 June 1731, O.S.

<sup>227</sup>Jones, 'Jacobitism and the Historian', p. 683, 688-89; *idem*, 'Sunderland', pp. 57-61.

for depicting Jacobite betrayal in the other. Approached from another perspective, one could argue that, since the conversation is comprised of several paragraphs of descriptions of people who were known Jacobites, rather than defectors, to interpret Walpole's remark as an unlikely, abrupt interjection identifying Orrery as a Jacobite traitor is inconsistent. Consequently, it fails to suggest Orrery's betrayal of the Stuarts' cause, and previous allegations to the contrary remain unconvincing.

Despite the unlikelihood of Orrery's defection from Jacobitism and his aversion to dissimulation and unvirtuous conduct, it is easy to see why he and other Tory peers were thus accused in the years after 1727. Orrery, in particular, seems to have understood that with the dwindling support for Jacobitism and the virtual demise of the opposition in the Lords, a false public appearance of Hanoverian loyalty had to be maintained to keep suspicions at a minimum. In the summer of 1727 he wrote that the 'Tories are so broke & dispirited by so long a persecution that they who are still as zealous for you as ever' had to engage in 'general dissimulation' to survive. Part of this was necessary because of the government's heightened suspicions since James III had 'stirr'd from your usual residence'.<sup>228</sup> Consequently, at the coronation of George II on 11 October 1727 Orrery marched in the procession as an English peer as Baron Boyle of Marston in Great Britain, bypassing the established tradition ranking Irish peers above English peers of inferior quality.<sup>229</sup> If wrongly accused of accepting a Hanoverian pension, Orrery soon learned, like many other Tories and opposition figures, that a new sovereign did not necessarily translate into new political opportunities. George II dissolved his father's Privy Council and reappointed its members as a body but for one exception: Orrery was the sole member of the old Council not reappointed.<sup>230</sup> Many other diehard Tory peers were quickly disenchanted after George II's accession as well, and, disheartened by the prospects and the expense of coming to London to attend the House, offered various excuses for remaining in the country.<sup>231</sup>

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<sup>228</sup>RA, Stuart Papers 109/130. Orrery to James III, [endorsed 'received by James Hamilton 30 Aug. 1727']; and partly printed in Mahon, *History of England*, ii, Appendix, xxxiii.

<sup>229</sup>*Complete Peerage*, x, 180. Orrery's son the 5th Earl was pressured into leaving London to gratify fellow Irish peers and avoid doing the same in a royal marriage ceremony in 1734: see Lord Egmont's notes on the precedents of Irish peers in BL, Add. MS 47099, ff. 1-2; HMC, *Egmont*, ii, 46, 59; and *cf.* BL, Add. MS 22227, f. 149v, dated 20 Nov. 1733, when Strafford remarked: 'The Irish peers are much disconcerted upon not having the liberty to walking in procession according to their degrees of peerage'.

<sup>230</sup>BL, Add. MS 38334, f. 191. 'Precedents of dissolving the Privy Council; & appointing New Ones'; also cited in Turner, *Privy Council*, ii, 30.

<sup>231</sup>See Poulet's excuses in: BL, Add. MS 22221, f. 7; BL, Add. MS 31141, f. 341. Poulet to Strafford, 11 April 1726; and *Wentworth Papers*, pp. 302-03.



In late 1727 and during the 1728 session Orrery was apparently extremely ill. Margaret Swordfeger informed the Pretender in 1728 that Orrery was in grave health 'all last winter and part of the spring' and would spend the summer 'as usual in the Country' recuperating.<sup>232</sup> The nature of the affliction is unknown, but it was serious enough to preclude his attendance in the Lords from 29 January through the session's end on 28 May.<sup>233</sup> As he grew older and the Tories' political prospects diminished, Orrery became more reclusive and spent more time on his Somerset estate.<sup>234</sup> His political participation in the 1729 session demonstrated his apathy. Henceforth he attended only debates on key issues to which the few opposition peers could attract attention and lodge a protest, or when the business concerned a topic of peculiar interest;<sup>235</sup> for example, he sat twice in February to hear cases concerning Irish estates and a petition of Lord Anglesey.<sup>236</sup> Despite signatures of many of his longtime protesting colleagues, Orrery for some reason abstained from a debate and protest on 18 April 1729 on the dispatch of Admiral Hozier's squadron to the West Indies.<sup>237</sup> On 10 May he joined his friends to protest a motion concerning Civil List discrepancies,<sup>238</sup> and two days later he protested the Corn Bill's passage.<sup>239</sup> Orrery was particularly interested in attending the House in early 1730 because a case was read against his unscrupulous Irish estate agent, Brettridge Badham.<sup>240</sup>

After 1727 defections and dissension continued to weaken an enervated Jacobite cause; their despondency was reflected in the ever-vigilant Walpole's remarks in November 1727, when he happily reported that recently-intercepted Jacobite correspondence contained nothing

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<sup>232</sup>RA, Stuart Papers 116/99. Mrs. Swordfeger to James III, 24 May 1728. See his response, written without cant names or ciphers, in *idem*, 119/95, dated 24 Aug. 1728.

<sup>233</sup>*LJ*, xxiii, 172-286.

<sup>234</sup>For his retirement there in the summer of 1730 see *Orrery Papers*, i, 86. Lord Boyle to Mr. Salkeld, 22 Aug. 1730; also see below, p. 444.

<sup>235</sup>Orrery attended only 12 of the 80 sittings from 21 Jan. to 14 May: *LJ*, xxiii, 297-455.

<sup>236</sup>*LJ*, xxiii, 329, 333.

<sup>237</sup>*LJ*, xxiii, 395-96. For Strafford's MS copy of the protest and the names of those who intended to sign see BL, Add, MS 22263, ff. 106-07.

<sup>238</sup>*Protests*, i, 396-98. BL, Add. MS 22263, ff. 111-15, contains a MS draft preamble to the protest of 10 May 1729, and f. 113, lists the protesters, who include Orrery, Strafford, Bathurst and seven others.

<sup>239</sup>*LJ*, xxiii, 430-31; and the partial list of 17 of 19 peers who opposed the motion in RA, Stuart Papers 128/31.

<sup>240</sup>*LJ*, xxiii, 470, 500. For more on Badham, see below, Ch. 11, pp. 494-96.

sufficiently material to warrant troubling George II.<sup>241</sup> Depending on individual perspective, one discerns either Jacobite desperation or ingenuity after 1727 in the conception of plans to make overtures to Walpole for his assistance in affecting a Stuart restoration, which are in many ways strangely reminiscent of the overtures made to Sunderland nearly a decade earlier. As in 1722, an army officer, one Colonel Robinson, was designated to serve as the principal intermediary to feel out the likelihood of such a conversion.<sup>242</sup> Other rumours identified the very same Urquhart who had served as intermediary with Sunderland as the first to suggest Walpole's favourable inclinations.<sup>243</sup> Just who originated the idea is unclear, but it is known that Atterbury had written a letter the Jacobites intended to publish in Britain which suggested Walpole was plotting to block the succession of George I's son.<sup>244</sup> Another similarity with the Sunderland talks lies in Orrery's involvement in contemplation of the scheme, and he, Caesar and especially Cecil, were chiefly responsible for plans to establish direct contacts. The latter mused in August 1727 that he had 'a long time fondly entertained' the benefits that might be gained if Walpole could be won over to James III's interest. Several months later the Pretender had composed at least one letter to his arch-nemesis that the Duchess of Hamilton was to deliver, but upon Robinson's advice, it was retained in safe hands.<sup>245</sup>

A lapse in the efforts followed, but they were resumed in the 1730s and conducted concurrently with renewed plans to win French support. As in the Sunderland negotiations, the Pretender displayed more prudence and realism than his followers. In 1731 he made 'serious reflexions' in response to some of Orrery's speculations about Walpole, arguing that no matter how great Walpole's potential value to the cause, 'insinuations' made to Robinson were hardly sufficient 'to make me believe Walpole thinks seriously of serving me'. It was clearly in Walpole's interest to feign friendship; indeed this type of deception led many Jacobites to incriminate themselves and suffer the consequences. James III believed the prime minister's design was 'to amuse us', for he and his henchmen were unprincipled and owed

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<sup>241</sup>PRO, SP 36/4/13. Walpole to Townshend, 6 Nov. 1727. Black, *British Foreign Policy*, p. 148, remarks on the similar absence of Jacobite references in British diplomatic correspondence from 1727-1730.

<sup>242</sup>This was presumably Samuel Robinson, who was one of three addressees of a letter Wharton wrote from Rome and directed to his estate trustees in March 1726: RA, Stuart Papers 91/62.

<sup>243</sup>Atterbury reported Urquhart's story, believing the Colonel 'means well but is in ye wrong to propagate it': RA, Stuart Papers 91/59. Atterbury to James III, Paris, 4 March 1726.

<sup>244</sup>Coxe, *Walpole*, ii, 226-29; cf. BL, Add. MS 32745, f. 458.

<sup>245</sup>RA, Stuart Papers 109/19, and 112/120. James Hamilton to James III, [London?], 18 Dec. 1727.

everything to the Hanoverians. Thus, he concluded that 'not words, but facts alone, can convince me of his sincerity'. If Walpole was really interested in promoting a restoration, he could supply signs by promoting, or at least 'opposing faintly what must manifestly tend to my advantage', such as the disbandment of regiments or a revocation of the 'Ryots' Bill. With these points in mind, James III was relieved to learn that 'my letter to him happens to be lost and [I] am so far from thinking it advisable to writ another to him at this time that I must again Recommend in the Strongest manner to my friends to Unite heart & hand in all measures in opposition to him & the Court', since the only thing that could make Walpole seriously consider aiding the Jacobites was 'a steddy & vigorous conduct of my friends agst him'. Orrery does not seem to have met with Walpole, but he did steer the course of the negotiations through contacts with Robinson. Since the talks were a 'matter of so great & nice importance', the Pretender 'endeavoured to be very dull & distinct upon the Subject that Lord Orrery may be the better able to regulate his discourses accordingly' with Robinson.<sup>246</sup>

One difference from the Sunderland talks of 1722 was that Orrery initially evinced less scepticism and was more hopeful that Walpole might be persuaded, allowing Robinson to 'talk freely' with Walpole even though he (Orrery) remained suspicious of the minister's 'public behavior'. In what seems a rather humorous irony, Orrery described Walpole as 'of a very timorous nature', a man who was constantly exposed to the 'detestation of the people & serves a master so weak in understanding & so violent a temper that he must probably be afraid he may all of a sudden be given up', after which Orrery expected Walpole might be driven 'into a necessity of flying into' the Pretender's interest.<sup>247</sup> James III insisted that Walpole should not be absolutely 'rejected', but was 'never to be trusted'.<sup>248</sup> Orrery's own natural timidity and the highly sensitive nature of the discussions, however, prevented any further progress beyond the summer of 1731 until well after Orrery's death. Cecil's involvement in the projected Walpole negotiations doubtless led to their resumption in the 1740s, when he was duped by Walpole and imprisoned as a result.

The unlikelihood of Orrery's betrayal of the Jacobites is further suggested by the sheer unrelenting nature of his activity on their behalf from 1728 to 1731. Late in 1728 the Pretender had requested Orrery draw up an outline of a royal declaration so it could be

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<sup>246</sup>RA, Stuart Papers 143/50. James III to Cecil, Rome, 23 Feb. 1731.

<sup>247</sup>RA, Stuart Papers 144/76. Cecil to James III, 10 April 1731, O.S.

<sup>248</sup>RA, Stuart Papers 145/11. James III to Orrery, Rome, 2 May 1731, N.S.

printed and readied for distribution in the event of an invasion attempt.<sup>249</sup> In early 1729 Cecil returned Orrery's rough outline containing the points which he believed the Pretender should emphasise. Prefaced by a proper preamble, James III should clarify that the foreign forces which accompanied him were brought to defend and not oppress, and he was to offer a free general pardon to all who professed loyalty within twenty days and acknowledged his 'just and lawful right & title' as sovereign. Another crucial stipulation was to clarify that James III was to 'Declare upon our Royall word & in the strongest manner that we shall maintain the Church of England' and consent to any parliamentary measures thought necessary to safeguard any of its rights and privileges. Orrery also thought James III should 'resettle' the British Constitution so as to maintain laws 'enacted for the undisturbed enjoyment of the meanest man's liberty & property' and redress violations of recent years committed by the 'wickedness of men late in power' which had 'impoverished & enslaved' all Englishmen. Orrery added that the restoration should rid the country of 'the prevalence of a general corruption & looseness of manners'. Finally, he suggested the Pretender keep the declaration fairly brief and 'where any promises are made let 'em be made in general terms & as many things as possible referr'd to Parliament which at first will certainly be dutyfull & obsequious'; his guide on any issues of uncertainty should be to read Clarendon's *History*. When he had finished a complete draft James III was to send it over and Orrery would peruse it and make any necessary alterations.<sup>250</sup>

The draft declaration's timing was significant because it further demonstrated Orrery's continued importance in a period of diminishing hopes for a Jacobite restoration. Discussions of the declaration were accompanied by the most optimistic Jacobite letters written since George II's accession. Hints from abroad and European affairs gave the English Jacobites increased hopes and James III was exhorted not to be 'discourag'd by the appearance of the strength of the Court party that is owing to the poverty and corruption of the times'. Orrery, Strafford and Cecil insisted that the 'hearts of the people' were more favourable than ever and that no government was ever 'more odious'. In an interesting sidelight, Orrery beseeched his sovereign that in the event of an attempt with foreign backing James III would 'maturely consider whether or no it is best to bring your eldest son along with you', since

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<sup>249</sup>RA, Stuart Papers 122/85. James Edgar to James Hamilton, Rome, 14 Dec. 1728, N.S.

<sup>250</sup>RA, Stuart Papers 125/91. *Cf.* also 127/91: which is either a corrected neat draft of this (according to G.H. Jones) or is misplaced; it reads Orrery, Cecil & Strafford have answered on it and is endorsed 'Ld Orrery's Heads upon a Declaration, Read April 1729'.

the 'villainy of your Enemies' might 'make yr person hardly safe amongst us at first' until precautions were taken to thwart the possibility of assassins lurking 'among the vast crowds that will inevitably throng in upon you before you are settled'.<sup>251</sup> Orrery also served as a political adviser to relay reports of the level of support in Britain. Intelligence from the Continent implied that the Austrians and the French doubted that Tories 'of that weight as hath been represented' were willing to rise for James III, but James Hamilton conveyed Orrery's answer regarding the state of affairs in England and sent it to Rome with Orrery's own letter.<sup>252</sup>

Orrery's importance was partly by default, since the years after 1727 saw some leading Jacobites from years past fade into oblivion or retire from the Stuart sovereign's service. The Catholic Duke of Norfolk, who had also been imprisoned in 1722, had submitted to the court by 1728, as had Orrery's old acquaintance Dr. John Freind.<sup>253</sup> The attainted Wharton's dissolution, indiscretion, rash temperament, and his failure in Vienna led him to Spain, where he married a woman from a minor Irish exile family and soon converted to Catholicism, only to die in poverty in 1731 after renouncing Jacobitism and with little more to show for his life than a Spanish officer's commission.<sup>254</sup> By 1728 Atterbury was also becoming alienated from Jacobite schemes. He had reputedly suspected the Pretender himself of engaging in secret communications with Walpole as early as 1726.<sup>255</sup> The exiled bishop absolutely detested some of James III's top Scottish and Irish advisers and agents, such as O'Brien,<sup>256</sup> and Atterbury's inability to cooperate with them and others underscored jealousy and rivalries which crippled the Jacobites' effectiveness and led to personnel changes such as the resignation of Inverness in 1727.<sup>257</sup> Atterbury had reputedly was also infuriated by the religious conversions of men such as Wharton and North & Grey,<sup>258</sup> and the perceptions their

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<sup>251</sup>RA, Stuart Papers 125/90. Cecil to James III, 5 March 1729.

<sup>252</sup>RA, Stuart Papers 112/120. James Hamilton to James III, [London?], 18 Dec. 1727.

<sup>253</sup>RA, Stuart Papers 118/87, and 122/3. James Hamilton to James Edgar, 13 Nov. 1728.

<sup>254</sup>Wharton publicly renounced the Pretender and requested a pardon in 1730: PRO, SP 78/196/33-34. Mills to Robinson, Turin, 19 June 1730, N.S.; also Coxe, *Walpole*, ii, 633-34. Wharton to Horatio Walpole, 6 July 1728.

<sup>255</sup>RA, Stuart Papers 91/152. O'Brien to Inverness, Paris, 18 March 1726; *idem*, cited in Gregg, 'Paranoia', p. 52.

<sup>256</sup>CUL, Ch (H) MS Corr. #1529. Semple to Horatio Walpole, 11 June 1728; BL, Add. MS 38504, f. 208; HMC, *Portland*, vii, 386; *Memoirs of Atterbury*, ii, 374-75.

<sup>257</sup>North & Grey had expressed interest in filling the vacant Secretaryship, but the Pretender awarded it to Graeme, his agent in Vienna: *Lockhart Papers*, ii, 336-37, 347.

<sup>258</sup>Like Wharton, North & Grey sought a pardon in 1731: BL, Add. MS 32773, ff. 108-09.

actions would breed among dwindling supporters in England.<sup>259</sup>

Orrery's former tutor was less critical of his old pupil and the figures around him. Atterbury reportedly told Semple in 1726 that Strafford remained valuable as did Gower, but that Orrery, although a 'good man', would achieve far more for the Jacobites if only he could 'Overcome some Perticular Imperfections as his Being over Cautious where he ought not, and where he ought, too open which would be Regard'd as too great faults in such a man as me'.<sup>260</sup> Discussing the 'caution and fear' in England, Atterbury remarked on another occasion that 'something indeed must be allowed to Jodrell's [Orrery's] temper, which is wary to excess. However, the persons he consulted with have a deference for his advice and though not perhaps altogether so cautious' were 'ready to join in his opinion' that no rising in England could be contemplated without a 'foreign and very considerable assistance;'. Atterbury added that it had 'slipt' from Orrery in his conversations with Hardy that not less than 20,000 troops were now necessary, although this was a 'particular' Orrery had omitted and which Atterbury mentioned only as an example of the Jacobites' 'extreme timorousness'.<sup>261</sup> By 1728 Atterbury had in effect sent a letter of resignation to Rome.<sup>262</sup> By 1731 he described James III as lurking in Rome 'surrounded by knaves and fools', thus, the Jacobites' plight was in 'a Dismal situation in England and [would] fall to nothing (very soon) unless some unforeseen providence interposed'.<sup>263</sup> Furthermore, the manipulation of Queen Clementina by Roman Catholic cardinals and her own stubbornness prolonged the royal reconciliation and did little to attract support for leaders such as Atterbury or among Protestants.<sup>264</sup>

## V

After recovering from his illness in 1729, Orrery asserted not only his active leadership of the English Jacobites but a renewed interest in protesting in the Lords. Encouragement from

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<sup>259</sup>CUL, Ch (H) MS Corr. #1536. Atterbury was reported to secretly oppose a Stuart restoration by 'popish measures': RA, Stuart Papers 81/168-70. For a similar reaction to North & Grey's conversion from one of Atterbury's old adversaries at Oxford see HMC, *Portland*, vii, 450.

<sup>260</sup>Semple concluded that Orrery and Atterbury were 'not in Good termes': PRO, SP 78/184/251. [Semple] to Horatio Walpole, 13 Nov. 1726.

<sup>261</sup>Mahon, *History of England*, ii, Appendix, xxxiv. Atterbury to James III, 20 Aug. 1727.

<sup>262</sup>HMC, *Portland*, vii, 465.

<sup>263</sup>PRO, SP 78/198/225. [Semple ?] to [Pelham ?], 4 Oct. 1731.

<sup>264</sup>*Lockhart Papers*, ii, 378.

tension with Spain led him to play a crucial role in the opposition to the Treaty of Seville in January 1730. Changes in the complex international diplomatic situation had necessitated a modified foreign policy in Britain. Growing bitterness between Walpole and Townshend over the former's intrusion into diplomacy gave the impression of ministerial weakness and led to Townshend's resignation in May 1730.<sup>265</sup> The Treaty of Seville was concluded between Spain and Britain on 9 November 1729, O.S. Walpole's ministry touted it as the simultaneous solution to grievances between Austria and Spain over Italian territories as well as Anglo-Spanish commercial rivalries in the Caribbean. The Treaty was not without its critics,<sup>266</sup> however, and became what one study has described as the most divisive and controversial issue since the South Sea Crisis.<sup>267</sup> Bathurst delivered a long speech in the debate on 27 January 1730, but the motion opposing the Treaty's passage was defeated by 86-31.<sup>268</sup> A lengthy protest containing 10 articles followed.<sup>269</sup> Although Orrery was able to coax some reclusive peers out of the country to join the opposition,<sup>270</sup> Bingley, another veteran protester, supported the court and was seen as 'walking towards the Treasury'.<sup>271</sup> Orrery's contribution to the debate was again more literary than oratorical. A surviving draft of the protest in Strafford's papers reveals annotations and corrections which are identical to verifiable specimens of Orrery's handwriting.<sup>272</sup> Correlation with the published version determines that all the corrections were left intact.

On 16 March 1730 Orrery joined eight peers to protest the Mutiny Bill's second

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<sup>265</sup>*Walpoliana*, p. 11; HMC, *Egmont*, i, 92-93.

<sup>266</sup>Among whom Bolingbroke was among the most prominent: for useful treatments of the diplomatic background to the treaty see Dickinson, *Bolingbroke*, pp. 223-25; Black, *British Foreign Policy*, pp. 108-12; Richard Lodge, 'The Treaty of Seville', *TRHS*, 4th ser., xvi (1933), 1-44; and Langford, *Polite and Commercial People*, pp. 18-19.

<sup>267</sup>The Treaty and the debates it provoked in Parliament are analysed in: Howard F. McMains, 'The Opposition to Sir Robert Walpole, 1727-1731' (unpublished Ph.D., University of Indiana, 1970), pp. 160-75.

<sup>268</sup>BL, Add. MS 27981, ff. 25v-28; Strafford's list of those who voted with the opposition and protested is in BL, Add. MS 22263, ff. 116-19. Also see John, Lord Hervey, *The Memoirs of Lord Hervey* (3 vols., London: Eyre & Spottiswoode, 1931; Rept., New York: AMS, 1970), i, 111-13; and HMC, *Egmont*, i, 25-29.

<sup>269</sup>*PH*, viii, 773-78; *Protests*, i, 401-05.

<sup>270</sup>Most notably, Abingdon and Anglesey, who both signed the protest: see RA, Stuart Papers 125/115. James Hamilton to James Edgar, 5 March 1729, O.S., which also discusses the debates in Parliament and Bolingbroke's activities.

<sup>271</sup>NLS, MS 14421, f. 77. R. Dundas to the Marquis of Tweeddale, London, 5 Feb. 1730.

<sup>272</sup>BL, Add. MS 22263, ff. 121-24. One correction Orrery made, on f. 122, was to replace 'Patriots' with 'Englishmen', perhaps suggesting that the opposition was already considering use and adoption of this term which became more popular in the 1730s.

reading,<sup>273</sup> followed by a division two days later which saw 31 peers protest a court resolution concerning the Spanish claim to Gibraltar and Minorca,<sup>274</sup> and a protest of a failed motion denouncing the maintenance of 12,000 Hessian troops on 17 April 1730.<sup>275</sup> Orrery failed to protest the first reading of a measure to require the laying of a list of pensions before the House on 19 March 1730,<sup>276</sup> but did protest the second reading, and signed a protest lodged without a division against the Bill's rejection.<sup>277</sup> Another version of the Pension Bill passed the Commons and was introduced in the Lords on 2 March 1731. Its passage there was protested by a diverse group which included dissident Whigs as well as Orrery and several Tory peers.<sup>278</sup> It was also momentous because it proved Orrery's final protest; he would not sit again after the prorogation of 7 May 1731,<sup>279</sup> but he did remain active until the session was concluded. He was among a large, diverse group who voted in favour of removing a duty on imported Irish wool a few days earlier,<sup>280</sup> and served as manager of another conference with MPs on 4 May.<sup>281</sup>

With the conclusion of the Treaty of Seville the Jacobites once again lost all immediate prospects for Austro-Spanish support and were forced to divert their attention towards winning favour in France.<sup>282</sup> Efforts to undermine Anglo-French relations fortuitously coincided with increasing French confidence, as Louis XV matured and memories of defeats suffered at Marlborough's hands faded. Analysing the genuine extent of Jacobite support among French ministers, however, proves challenging, since there is a noticeable void in studies of Fleury's contacts with the Jacobites during this period.<sup>283</sup> An Anglo-Austrian Treaty had

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<sup>273</sup>*LJ*, xxiii, 506; *Protests*, i, 405-06.

<sup>274</sup>*LJ*, xxiii, 364-67; *Protests*, i, 391-93; and Strafford's MS copy in BL, Add. MS 22263, ff. 102-03. RA, Stuart Papers 126/90, contains a list of 20 of the peers who opposed the court; cf. BL, Harleian MS 7556, ff. 114-15, which is a MS copy of the protest misdated 18 March 1728.

<sup>275</sup>*Protests*, i, 414-16; *LJ*, xxiii, 540.

<sup>276</sup>For the Lords debate on the Pension Bill on 19 March 1730 see HMC, *Egmont*, i, 81-85.

<sup>277</sup>*LJ*, xxiii, 510-15; *Protests*, i, 407-13.

<sup>278</sup>*Post-Boy* (London) 8 May 1731; *Gentleman's Magazine*, i (1731), pp. 214-15; *Protests*, i, 416-18; *LJ*, xxiii, 628-29. There are MS lists of those who opposed the Pension Bill vote of 2 March 1731 in: BL, Add. MS 33033, ff. 245-46; and BL, Add. MS 22263, ff. 125-26.

<sup>279</sup>*Protests*, i, 420, 423, wrongly identifies his son John as signing protests on 7 and 29 March 1732.

<sup>280</sup>HMC, *Egmont*, i, 188-89.

<sup>281</sup>The subject was discussion of a bill to parcel out land in Derbyshire: *LJ*, xxiii, 700.

<sup>282</sup>Black, *British Foreign Policy*, p. 148.

<sup>283</sup>Jacobite overtures are barely mentioned in the dated study by A.M. Wilson, *French Foreign Policy during the Administration of Cardinal Fleury, 1726-1743: A Study in Diplomacy and Commercial Development* (Cambridge, Mass.: Harvard University Press, 1936); or in the more recent study by Jeremy Black, 'French Foreign Policy in the Age of Fleury Reassessed', *EHR*, ciii (1985),



alienated France and again inspired the Jacobites to make entreaties to the foreign power in the closest proximity to the government which they were striving to overthrow, yet it was the Jacobites' persistent misfortune throughout the 1720s and 1730s, to solicit aid during the long domination of ministries by either Orleans, or Fleury, who died in 1743 at the age of 90.<sup>284</sup> Furthermore, Britain was not looked upon as a threat to France until after 1750, largely too late to impact upon any hopes of a Jacobite restoration.<sup>285</sup>

Late in 1726, while Austro-Spanish support was still likely, the Pretender requested someone with naval expertise be employed to coordinate the embarkation and landing of foreign troops on British coasts.<sup>286</sup> Orrery had suggested Captain Charles Hardy, who was a close friend in his final years and who became an important figure in Jacobite efforts of the early 1730s. Also acquainted with William Byrd, Hardy, a fluent French speaker, had achieved fame at the bombardment of Vigo Bay in 1702 but was dismissed on suspicion of Jacobitism in 1715.<sup>287</sup> He was considered as a Jacobite envoy to Vienna as early as August 1726,<sup>288</sup> and had agreed to go to Vienna in 1727 in the midst of Anglo-Austrian hostility but, lacking credentials from Rome, his dispatch was cancelled.<sup>289</sup> No correspondence seems to have survived between Hardy and Orrery, but the latter clearly held him in high esteem. In 1731 Orrery described him as one whose 'fidelity & discretion' could be completely assured, partly since he was 'not very much under the suspicion' of Walpole's government, and because he would 'avoid giving as far as possible by his behaviour & Conversation any real occasion for Jealousies'.<sup>290</sup>

Another figure active in plotting a Jacobite invasion with French support at this time

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359-84. Similarly, Peter Campbell, 'The Conduct of Politics in France during the time of the Cardinal de Fleury, 1723-1743' (unpublished Ph.D., University of London, 1985), focuses specifically on domestic affairs.

<sup>284</sup>Cruikshanks, *Political Untouchables*, pp. 25, 36.

<sup>285</sup>Black, *British Foreign Policy*, pp. 154-55. There is also a useful discussion of the diplomatic background of the Anglo-French tension in 1730-31 in the introduction to: L.G. Wickham Legg, ed., *British Diplomatic Instructions, 1689-1789: France, 1727-44*, 3rd ser., xliii (London: Royal Historical Society, 1930), vi, xvi-xxi.

<sup>286</sup>RA, Stuart Papers 99/140. James III to Orrery, Rome, 11 Dec. 1726.

<sup>287</sup>HMC, *Stuart*, iii, 85; Eveline Cruickshanks, 'Lord Cornbury, Bolingbroke and a Plan to Restore the Stuarts, 1731-1735', *Royal Stuart Papers*, xxvii (1986), 2.

<sup>288</sup>RA, Stuart Papers 98/147. Inverness to James Hamilton, 6 Nov. 1726: expects daily to 'be able to say something to you upon Capn. Hardy's journey, which I hope he would not make difficulty of undertaking'; cf. *idem*, 89/1/27.

<sup>289</sup>RA, Stuart Papers 102/65. Orrery to James III, 28 Jan. 1727, O.S. Hardy's first letter to Rome seems to date from the middle of 1727: *idem*, 107/52. Hardy to James III, 13 June 1727.

<sup>290</sup>RA, Stuart Papers 146/88. Orrery to James III, 25 June 1731, O.S.

was the young Henry Hyde, Viscount Cornbury, who accompanied the Duchess of Buckingham to Rome to confer with the Pretender in the winter of 1730.<sup>291</sup> Corresponding with Jacobite speculation about luring over Walpole, Orrery, Cornbury, and other English Jacobites adopted a policy of targeting leading dissidents and even discontented courtiers as potential supporters. An example can be seen in approaches Orrery seems to have made to Argyll in 1727, when Orrery described how he had tried to overcome 'some little coolness' which existed between them. Although thought discontented, Orrery's efforts were not overly successful, for he reported that Argyll had 'seem'd asham'd upon several occasions to see me & to say the truth his Inconstancy has been so great & his selfish views so Notorious that I cannot yet think it proper to use any great liberty of discourse with him'. Orrery also believed himself 'sufficiently justify'd in making offers in your name with a particular authority where it can be done undeniably for yr service'.<sup>292</sup> Several projection lists were drawn up, sometimes even designating offices to be awarded to an individual in the event of one's support in a restoration. Cornbury's similar plan was drawn up with the intention of retaining and rewarding a number of influential Whigs, including Argyll, Somerset, and Orrery's kinsman, Lionel, Duke of Dorset.<sup>293</sup>

It is unclear how much, if any, coordination existed between Cornbury's mission of 1730 and what proved Orrery's final plan, which was conceived in the summer of 1731. In an uncharacteristically enthusiastic letter, Orrery reported that recent negotiations with Fleury 'appear'd the most hopeful I ever knew. The timorousness of the old man's nature has hindr'd it from being brought to perfection', but if Orrery was 'rightly inform'd', he believed Fleury was pro-Jacobite and ready 'to undertake an expedition hither as soon as he perceives he can do it, without too much hazard of miscarriage'. Spanish assistance was evidently another of Fleury's conditions. Despite Fleury's hesitancy, Orrery believed it the 'only machine at present' which stood a decent prospect for success, and thought it was 'extreamly to be wish'd that somebody should go over' as soon as possible to prod Fleury into action. Orrery recommended Hardy, who had already agreed to go. The mission was to be kept completely secret to all but Orrery and Cecil and only known in France 'in the breasts of the Cardinal,

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<sup>291</sup>For his background see Cruickshanks, 'Cornbury', pp. 1-12. The Duchess was another Jacobite beguiled into revealing secrets to Walpole in the 1730s: BL, Add. MS 9129, ff. 82-90.

<sup>292</sup>RA, Stuart Papers 109/130. Orrery to James III, [endorsed 'received by James Hamilton 30 Aug. 1727'].

<sup>293</sup>RA, Stuart Papers 142/99; Cruickshanks, 'Cornbury', p. 2; *cf.* RA, Stuart Papers 123/49.

the Secretary of War, & Mr Dillon'.<sup>294</sup>

The source and consequent reliability of Orrery's intelligence concerning the French court and, especially Fleury's disposition towards the Jacobites, remains uncertain, yet events demonstrated that Orrery's assessment was erroneous. Orrery mentioned a 'gentleman employed upon this affair from hence has been over in ffrance severall times & is now return'd' and, government suspicions made it unsafe for him to return. The emissary's identity was not given, but Orrery indicated that he had conveyed messages for the Jacobites, so it is possible Orrery was referring to James Hamilton. Another possible supplier of Orrery's intelligence was the mysterious Jacobite freemason, the Chevalier Ramsay. During Christmas 1729 and the following spring Orrery entertained several French guests at his house in Buckinghamshire. Among the visitors was Ramsay and at least one French nobleman,<sup>295</sup> and the plans for renewed contacts with Fleury may derive from these visits.<sup>296</sup>

In May 1731 Orrery received full powers from Rome to make yet another approach to the French court. James III's reaction to the new plans for negotiating with the French was one of surprise, and indicate that the initiative was taken directly from Paris and London. Perhaps it also suggests that O'Brien, who was still Jacobite agent in Paris, had sent contradictory intelligence about Fleury's disposition to Rome. None the less, James III was pleased to learn of Orrery's direct involvement and his intentions to travel to Paris in person 'to concert & settle matters'. Orrery's 'powers & instructions' were sent under confidential cover to Lady Sandwich for Orrery to collect upon arrival and then present to Fleury. Rather than offer any specific instructions, Orrery was to exercise his own judgement and convey the people's favourable disposition, the number of troops needed, and appropriate landing places. Optimistic, James III was persuaded that Orrery's account of affairs would carry more influence since he had journeyed directly from England and would appear 'to act [out] of a principle of love for your Country'. If the French accepted and proposed a treaty, Orrery was to receive additional powers to negotiate.<sup>297</sup>

Orrery never made his intended journey, for he soon learned that the British government

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<sup>294</sup>RA, Stuart Papers 146/88. Orrery to James III, 25 June 1731, O.S.

<sup>295</sup>OPH, MS Eng. 218.2, i, 162-65. Lord Boyle to John Laws, Marston, 22 May 1730; *Orrery Papers*, i, 75; John Heron Lepper, 'The Earl of Orrery, Chevalier Ramsay, John Kempe', *Ars Quatuor Coronatorum, Being the Transactions of the Lodge Quatuor Coronatorum*, No. 2076, xxxv (1922), 77-78.

<sup>296</sup>Jacobite informants claimed Ramsay visited Mar in the summer of 1726 and then went on to Rome: BL, Add. MS 32746, ff. 343-44, 473.

<sup>297</sup>RA, Stuart Papers 145/10-11. James III to Orrery, Rome, 2 May 1731, N.S.

was also making preparations for his arrival. The Pretender had agreed to observe Orrery's pleas for absolute secrecy and not to reveal details of Orrery's negotiations without his consent, concealing them even from Atterbury, but it was soon learned that Walpole was determined to return Orrery to the Tower if he went to France.<sup>298</sup> According to Orrery, 'the very mention of my going abroad' had sounded an alarm in the government but he still hoped to depart for Paris by summer's end.<sup>299</sup> Informants learned that Orrery was not to come 'as expected to manage the pretender's affairs for he [Orrery] found his designs had taken wind and that he could not receive his estate in case of a miscarriage'; the severity of the breach is evident in the fact that even Semple was aware that Orrery possessed 'full powers from himself and the party to say and do all that they think proper here'.<sup>300</sup> The British resident ambassador in Paris, Lord Waldegrave, reported Orrery's plans and that he had rented a house for his stay as early as March.<sup>301</sup> Waldegrave announced that the Jacobites were 'at work' and their hopes had been raised by perceived tension between London and Paris,<sup>302</sup> yet in July 1731, just before Orrery was to set out for France, Fleury had assured Waldegrave that the Cardinal would 'neither directly nor indirectly have any Concern with the Pretender'.<sup>303</sup>

When it became apparent that Orrery could not travel to France as soon as planned, Hardy was promptly dispatched to collect his credentials from Lady Sandwich and treat with Fleury. Orrery intended that Hardy should accompany him to Paris and he was authorised to open any letters addressed to Orrery, as the captain was the only person Orrery would employ in the Pretender's affairs in Paris. Orrery requested James III to send Hardy 'proper credentials & What notice your (sic) think fit to the Cardinal that he may have access directly to him & if you please to the Secretary of War'. Up to his death, Orrery displayed optimism about prospects for a Jacobite invasion, informing the Pretender that a sufficient military force under his leadership 'wou'd carry you without any bloodshed to the capital so loaded with contempt & hatred are the Hannover Family notwithstanding the appearance of a numerous Court

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<sup>298</sup>RA, Stuart Papers 145/10; *idem*, 148/15.

<sup>299</sup>RA, Stuart Papers 146/88. Orrery to James III, 25 June 1731, O.S.

<sup>300</sup>PRO, SP 78/198/86. [Semple?] to Pelham, 19 July 1731.

<sup>301</sup>BL, Add. MS 32772, ff. 58-59. Waldegrave to Newcastle, Paris, 22 March 1731.

<sup>302</sup>BL, Add. MS 32773, f. 233. [endorsed] 'Most Private', Waldegrave to Newcastle, Fountainebleau, 19 April 1731, N.S.

<sup>303</sup>BL, Add. MS 32773, ff. 474-76. Waldegrave to Newcastle, Fountainebleau, 30 July 1731, N.S.

about 'em & a great majority in the Parliament', and most people who served them 'would not be Sorry to be rid of them'.<sup>304</sup>

Whether Orrery sincerely believed this assessment or was simply attempting to keep James III's spirits up is difficult to say. Regardless, Hardy's brief and uneventful mission was also the subject of detailed reports from government informants, who were aware that he possessed 'full powers from himself [Orrery] and the party to say and do all that they think proper here'. There may be some relation between the absence of secrecy surrounding the plans, and Dillon's renewed involvement in the 1731 schemes. After Mar's death in 1729 it appears Dillon regained some of his former prestige. At the same time, it seems Dillon was responsible for the disclosure of the plans for Orrery's journey. An informant reported in July 1731 that Dillon, still regarded as 'a hero with the desperate Jacobites in England', had dined with the French Minister of War, Villars, and Fleury, in order to propose an invasion scheme. Dillon was thought to possess influence with Villars but Fleury had little respect for him.<sup>305</sup>

Orrery's sudden renewed associations with Dillon are not fully explained in his correspondence but, it appears that, in their desperation he and other English Jacobites were willing to risk involvement with Dillon on the chance that his information contained some measure of reliability. Orrery confessed how in early 1731 he had learned from Dillon that the latter had 'some way or other means of getting intelligence of the most secret transactions of the Court of England' and that Fleury was becoming more favourable to the idea of assisting in a restoration. Initially sceptical because of Dillon's 'former management', Orrery himself received several additional accounts from the unnamed source and was informed that Fleury had concerted a measure with Spain which had been sent to Rome and to Ormonde in Madrid for endorsement. Orrery began to consider the information more seriously but was still uneasy at Dillon's 'want of Capacity & caution'. Hardy's dispatch was consequently postponed to await Dillon's latest reports, and he met with Hardy at Abbeville. Dillon assured him that Fleury had promised 20,000 troops and was ready to launch an invasion as soon as the British fleets left the Channel area.<sup>306</sup>

Instead of finding a well-conceived plan for a rising upon his arrival, Hardy, somewhat

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<sup>304</sup>RA, Stuart Papers 146/88.

<sup>305</sup>PRO, SP 78/198/86. [?] to Pelham, 19 July 1731, N.S.

<sup>306</sup>RA, Stuart Papers 147/67. Orrery to James III, [endorsed] 'Received in Captain Hardy's letter of 26 July 1731'.

naive and overawed by his experience, found only 'some generall coversations' between Dillon and Fleury. Dillon made excuses and blamed Fleury's irresolution, but it was soon clear that the affair was indeed largely fantasy and wishful thinking on Dillon's part. Hardy was criticised as unequal to the task of such a mission, and some questioned whether Orrery's opinion of him was inflated. One of the Pretender's final letters to Orrery left little doubt as to the former's opinion of Dillon and revealed anger at intimations that Orrery and other English followers again held the Irish general in confidence. James III expressed grave disquiet in the thought of Orrery 'in Dillon's power', since there was 'new proof of the little secrecy' in anything concerning Dillon. The Pretender was so concerned that he believed the approaches to Fleury should be postponed to demonstrate Dillon acted without proper authority.<sup>307</sup> Only later was James III reassured to learn that Dillon's actions were undertaken on his own initiative to make 'himself, appear important & necessary' to the English Jacobites,<sup>308</sup> yet he still found it 'hard to conceive' how their expectations 'could be so raised & such particular informations & assurances given of our immediate expedition, without any foundation'. Moreover, Fleury refused to associate with Dillon, and thinking Hardy had been sent with his blessing, had declined to meet with the captain as well. The Pretender concluded somewhat exasperatedly that Fleury might be more inclined 'to act vigorously in my cause were he convinced of the faculties he might meet with in such an Undertaking'. Now it was more important than ever that Orrery, Hardy, or another person with fluency in French should return and treat personally with the Cardinal so as to alter the latter's negative perceptions.<sup>309</sup>

Hardy was eventually dispatched back to France to attempt this task, but he would not make the journey with the aid of his more powerful Jacobite protector, for it was on this sour note that Orrery's 13 years of endeavours to restore the Stuarts came to an end. Orrery's worsening financial situation as an absentee landlord and related reports of widespread embezzlement by his principal Irish agent prompted him to undertake a journey to Ireland in 1731. He undoubtedly preferred to resolve these problems and stabilise his income before taking up an extended residence abroad, possibly to economise himself and to coordinate clandestinely Hardy's activities. Orrery returned to England in early August. He was met on the road at Woburn by Lord Boyle, who quickly realised that the trip had taken a

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<sup>307</sup>RA, Stuart Papers 147/67, and 106. James III to Orrery, 1 Aug. 1731, N.S.

<sup>308</sup>RA, Stuart Papers 148/53. James III to O'Brien, 29 Aug. 1731, N.S.

<sup>309</sup>RA, Stuart Papers 148/44. James III to Orrery and Cecil, 28 Aug. 1731, N.S.

severe toll on his father's frail health.<sup>310</sup> Orrery proceeded to London to recover his strength, still intending to go to France when his health permitted. After a steady decline, however, Orrery died, aged 57, at his house in Downing Street, Westminster, on 28 August 1731.<sup>311</sup>

Reactions to Orrery's unexpected death were mixed. In the following months Waldegrave's dispatches failed to notice his passing.<sup>312</sup> Hardy seems to have learned the news only when he arrived back in London.<sup>313</sup> Semple related that the Jacobites were 'struck to the heart at Lord Orrery's death, which they know not how to repair by getting one to succeed him'.<sup>314</sup> Atterbury's own reaction was more eloquent: 'In England ye Torys at present, by grief while ye Swans, & yr Horses attach ye House of Hannover...We are defeated here in our hopes of seeing my Ld Orrery. He is gone on a much longer journey'.<sup>315</sup> At what stage the Pretender learned the news is also unclear. Despite the problems concerning Dillon, James III, in a letter written after Orrery had already passed away, expressed joy at Orrery's assurances he was to come to France after all and meet personally with Fleury:

I am very glad Lord Orrery is coming over, for that will be yet better than Capt. Hardy's having spoke to the Cardl. To whom I doubt not but that Lord will Speak with all freedom But Hs. Excl. must not expect that any considerable people who wish me well of any party will open freely...He must be sensible how much they risque in confidences of that kind, and whenever they make them, it will probably be by some messenger chosen by themselves, and I hope the Cardl. will not be too nice in these matters...the main object is that they understand one another and provided that be compassed, it is not material by what means it happens, besides that as the The Cardl. risques nothing & They a great dale (sic) it is but reasonable that they should have the chief choice of the confidences made.

Perhaps to avoid a repetition of Orrery's 1725 visit to Paris, James III assured O'Brien that Hardy would 'promote Lord Orrery's having a confidence in you' and possibly use O'Brien as 'some go between betwixt the Cardl. & him & by making use of you for that purpose' in order to minimise the number of people who were aware of the purpose of Orrery's visit. Orrery had also been informed that O'Brien was 'in the confidence of the Court of ffrance & I think Lady Sandwich should repeat it to encourage him'.<sup>316</sup> This letter suggests that the earlier

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<sup>310</sup>*Orrery Papers*, i, 91-92.

<sup>311</sup>Budgell, p. 235; *Complete Peerage*, x, 180.

<sup>312</sup>BL, Add. MS 32774, ff. 1-563, *passim*, (Newcastle Papers, Diplomatic Correspondence, 26 July-31 Oct. 1731).

<sup>313</sup>RA, Stuart Papers 148/92. James III to O'Brien, 5 Sept. 1731, N.S.

<sup>314</sup>Some thought Strafford might be sent to France as Orrery's replacement: PRO, SP 78/198/225. S[emple ?] to [Pelham ?], 4 Oct. 1731.

<sup>315</sup>RA, Stuart Papers 148/142. Atterbury to Williams, 17 Sept 1731, N.S.

<sup>316</sup>RA, Stuart Papers 148/155. James III to O'Brien, Albano, 19 Sept. 1731, N.S. Orrery died a week before this letter was written; for Lady Sandwich's condolences see *Orrery Papers*, i, 98.

informant's allegations as to O'Brien's associations with British government agents was false.<sup>317</sup> O'Brien's reaction further proves the integral role Orrery was to play in Paris. In October O'Brien remarked on the great difficulties caused by Orrery's death, the effects of which he had attempted to downplay to the French ministers with whom Orrery had evidently intended to meet.<sup>318</sup> A week later Rome received an additional report that implied the inopportune nature of Orrery's demise: 'Sans la mort of Lord Orrery Le Roy sauroit vraysemblablement à present la dernier solution de celle cour Sir e'enterprise que lon leurs propose et V.M. Ueroit a peu pres a quoy Sen tenir les ministres roy Se lon toutes les aparances paroissent avoir de bonnes intentions'. O'Brien concluded that consequently it would now be necessary 'aplaner en mesmes temps les difficiles' which had resulted.<sup>319</sup>

James III's personal reaction to Orrery's death is unknown. He remained hopeful of French support and was frustrated by the inaction which paralysed the Jacobites in England after their leader's passing.<sup>320</sup> Perhaps it was stoically accepted as yet another setback in a life characterised by false hopes and disappointments. Meanwhile Orrery's son was quick to uphold his father's political tendencies and partially assume the mantle of his Jacobite endeavours. Fearing his father's ill health would soon bring about his death, the then Lord Boyle had remarked in July 1731 that if his father died one of his inheritances would be a seat 'among the anti-courtiers'.<sup>321</sup> A few months later the 5th Earl of Orrery had assumed one of his deceased father's cant names and was discussing Hardy's dispatch and the previous summer's plans.<sup>322</sup> Although a consistent opposition supporter when he attended the Lords,<sup>323</sup> the 5th Earl of Orrery did not engage in frequent correspondence with Rome,<sup>324</sup> and was far more the retired literateur than the active politician like his father.<sup>325</sup> Designated a

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<sup>317</sup>See above, p. 420.

<sup>318</sup>RA, Stuart Papers 149/114. O'Brien to James III, Paris, 22 Oct. 1731, N.S.

<sup>319</sup>RA, Stuart Papers 149/151. O'Brien to James III, Paris, 29 Oct. 1731, N.S.

<sup>320</sup>In RA, Stuart Papers 149/180. James III to Ormonde, Albano, 2 Nov. 1731, N.S., he remarked: 'I have heard nothing particular from England since Lord Orrery's death; & am the more impatient to have some accounts from thence, that I really believe that the French only want proper encouragement to take some vigorous resolution in our favour'.

<sup>321</sup>*Orrery Papers*, i, 74-75, 90.

<sup>322</sup>RA, Stuart Papers 150/127. Cecil to James III, 22 Dec. 1731. James III first wrote to Orrery's son on the latter's marriage in 1728: *idem*, 119/95. James III to Mrs. Swordfeger, 24 Aug. 1728, N.S.

<sup>323</sup>For the 5th Earl protesting and sending his proxies to Strafford and others in the 1730s see: BL, Add. MS 22222, ff. 148-49; BL, Add. 31142, ff. 65-69; and BL, Add. MS 22263, ff. 127-34.

<sup>324</sup>See his angry letter in RA, Stuart Papers 177/181. Orrery to James III, 20 Feb. 1735.

<sup>325</sup>For the 5th Earl's reflections on the folly of politics see *Orrery Papers*, i, 279-80.



member of the Council of Regents for Prince Charles Edward in 1743, he was one of the major English Tory figures involved in the Jacobite schemes leading up to the Forty-Five. He became deeply disenchanted with Jacobitism thereafter and led an increasingly withdrawn existence until his own death in 1762.<sup>326</sup>

The 4th Earl of Orrery's long Jacobite career was plagued by many problems which hampered the movement itself. Not the least of these were unreliable messengers, many of whom were lured into defection in exchange for money and became government informants, and the understandable scarcity of men of judgement and character who were willing to pledge their all for the Stuarts. Another problem of which Orrery himself was keenly aware was the absence of political cohesion among Jacobites and other elements of the opposition to George I and his son. Orrery's efforts to organise and perpetuate the opposition to Walpole after 1723 were frustrated on numerous fronts. Deaths of influential orators and a general unwillingness on the part of remaining Tory court opponents to cooperate with dissident Whigs were among the most significant of these obstacles and Orrery's letters frequently lamented this lack of cooperation. Recalling his own political background as a court whig defector during the reign of Queen Anne and able to contemplate the lesson learned from his role in the Sacheverell vote, Orrery definitely appreciated the advantages for such a coalition and voiced them in letters to Rome as early as 1726.

Unfortunately, popular perceptions of leading Jacobites voting with Whigs were feared and James III only belatedly recognised the importance of Jacobites in both Houses of Parliament coordinating their attacks with disgruntled Whigs similar to the threat posed by Cowper and his group in 1721-1722 but on a larger scale. Consequently, the Pretender did not advocate and authorise parliamentary cooperation launched in conjunction with incidences of international friction until January 1730. Summing up the likelihood of Walpole's support in early 1731, the Pretender had urged 'in the Strongest manner' that Jacobites in Parliament 'Unite heart & hand in all measures in opposition to him & the Court' and not fear entering into coalitions even with those opposing the court on 'a Republican principle' in efforts aimed at 'distressing and destroying' Walpole's ministry.<sup>327</sup> Although there is no explicit evidence of Orrery's advising the issuance of such authorisation, his role in the opposition

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<sup>326</sup>The 5th Earl's manifest disgust over Jacobitism is revealed in the epigraph quoted above, p. 390. For his Jacobite activities in the 1740s see: Harrowby MS, Diary of Sir Dudley Ryder, Doc. 21, pt. 2. p. 151, entry dated Feb. 1746; Cruickshanks, *Political Untouchables*, pp. 18, 21, 42, 46, and *passim*.

<sup>327</sup>RA, Stuart Papers 143/50.

to the Treaty of Seville and the increased number of peers who signed his protest on that one occasion clearly shows the effectiveness of the Pretender's belated endorsement; it may also serve as an indication of the type of success the Jacobites might have enjoyed had it been implemented at an earlier stage.<sup>328</sup> Further speculation serves little purpose, but one must wonder about the results if a similar image, a more united front of parliamentary discontent, had been evinced during the heights of Austro-Spanish hostility in 1727.<sup>329</sup>

None the less, throughout much of Orrery's correspondence there sometimes appears that something is missing. For all his assurances of loyalty and devotion, his years of exertion and trips abroad, his efforts to raise money to contribute to an invasion and for political change on behalf of the Tory party, there remains the sense that his adherence was fitful, frustrated, at times possibly even half-hearted, and always primarily self-interested. His self-righteous correspondence to the Pretender is frequently critical of some action or plan undertaken or advocated by one of his sovereign's other rival supporters. Conversely, despite James III's professions of gratitude and appreciation for Orrery's frank and generally pessimistic appraisals, the monarch's letters to other leading supporters at times betrayed his inclination to accept and give the impression of his endorsing Orrery's caution and hesitance out of fear of losing his services altogether. It may be that like his fellow conspirator, Charles Caesar, Orrery was maligned and mistrusted by other Jacobites because their 'cautious realism became increasingly unpalatable'.<sup>330</sup> The significance of the caution of Orrery and other Jacobites should not be underestimated or written off as merely another symptom of the hopelessness of the Jacobite cause. On only a few occasions did the Pretender ask Orrery to consider a rising without the elusive foreign invasion force, and his negative reaction was swift and unequivocal.<sup>331</sup> Since Orrery and others insisted on a large foreign force as a pre-requisite for a restoration attempt, they directly shaped Jacobite foreign policy and, thus, indirectly shaped British foreign policy towards France, in particular, and to a lesser degree, towards both Austria and Spain.

There was also a certain degree of alienation caused by James III's intimacy with

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<sup>328</sup>Similar conclusions are voiced in Black, *British Foreign Policy*, p. 148; and Jones, *Mainstream of Jacobitism*, pp. 178-79.

<sup>329</sup>Just before his death in 1731 Orrery dined with Swift in Ireland and they had discussed the political situation. Swift lamented the fact that the Tory peers 'stick together like sand & cannot agree': *Swift Corr.*, iv, 238. Swift to Bathurst, Dublin, 17 July 1731.

<sup>330</sup>Rumbold, p. 183.

<sup>331</sup>RA, Stuart Papers 81/95. James III to Orrery, 14 April 1725. See Orrery's reaction cited above, p. 406.

Orrery. In September 1723 the Pretender informed his principal military commander that correspondence with England was difficult because the only cipher he had exchanged at that time was with Orrery.<sup>332</sup> These and other examples cited above display the scarcity of committed men of quality who were willing to exert themselves for any length of time in efforts to restore James III, and suggest an inkling of the jealousy which often must have been directed at Orrery. Misunderstood, impugned, and harshly criticised by other Jacobites, his caution was often blamed for failed schemes and dwindling support. One must wonder if, like his illustrious grandfather, Orrery would not have eventually found himself ostracised and unpopular in a restored Jacobite court, in which he perhaps would have sought out for himself a place as Secretary of State or Captain-General of the Army. Speculative questions such as these can only be pondered. In order to comprehend and fully appreciate Orrery's complex personality, this study must now turn finally to a discussion of the more private facets of the life of this unsuccessful Jacobite conspirator.

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<sup>332</sup>RA, Stuart Papers 76/137. James III to Ormonde, Rome, 7 Sept. 1724.

For by the Doughty Criticks of our Time,  
Nothing but Wit is more abhorr'd than Rhime.  
By rigid forms of Law then we must Die,  
But we appeal to that fair Court of Equity,  
If that proves kind, from the gay Wits o' th' Age,  
No favour we desire but a clear Stage.  
Rt. Hon. Charles Boyle, unpaginated epilogue from *Altemira* (London: for J. Nutt, 1702).

Mr. Boyl's behaviour, and address, is the pattern of every man's gallant imitation...there is no province of humanity, but, at one time or other in your life, you are designed to command.  
Thomas Southerne, *The Maid's Last Prayer*, 1693.

every Body has been charm'd with the Honourable Mr. *Boyle's* Answer to a stiff Haughty *Grammarian*...all the *Polite Judges* in *Europe* were pleased to see an *Arrogant Pedant*, that had been crowding his Head twenty Years together with the Spoils of *Lexicons* and *Dictionaries*, worsted and foiled by a *Young Gentleman*, upon his own *Dunghill* and by his own *Criticisms*. Thus one would have thought that Mr. *Boyle's* Merit and Quality would have *secured* him from any *scurrilous* Treatment; and that his *Enemies*, if he could have any such, wou'd be content to *Envy* him in Private, and never have the Impudence to *Attack* him in Publick.  
[Thomas Brown, comp.], *Familiar and Courtly letters...*, 3rd ed. (London: printed for S. B. and sold by the booksellers of London and Westminster, 1701), pp. 133-34.

'Petticoats are no more sign of Modesty than Blushing is'.  
Rt. Hon. Charles Boyle, *As You Find It* (London: for Robert Parker, 1703).

The numerous intellectual interests which Orrery actively pursued throughout his adulthood remain among the most interesting and distinctive aspects of his life. Bewildering in their diversity, these activities and associations are often reflected in and bear some relation to his public career. Gentlemen MPs, military officers and renowned physicians all regularly rubbed shoulders with poets and playwrights in Covent Garden haunts such as Will's Coffee House, and Orrery numbered among his friends men from all of these social groups. In addition to his own assumption of some of the aforementioned mantles at one time or another, Orrery patronised several of the lesser-known literary figures of his day. This patronage consisted of financial encouragement of their theatrical output, as well as recommendations, intercessions, the procurement of military commissions, and personal introductions to his own more powerful acquaintances which are more difficult to verify. Other activities, such as his fascination with medicine and science, are not as overtly pertinent to his public career, but they are nevertheless interesting and help illustrate the comprehensive range of his intellectual enquiries and pursuits and the breadth of his erudition.

Orrery's lifetime was a pivotal era in European intellectual history, perhaps its most crucial. It witnessed the birth of modern science and the perpetuation of the legacies and influence of men like Orrery's uncle, the great Robert Boyle. This was also the age of the

virtuoso, before learning became so thoroughly academic and specialised. Men who could afford such leisurely amusement collected artefacts, coins, and plant and animal specimens and dabbled in diverse areas of knowledge. Although nowhere nearly as ridiculous as the character lampooned in Shadwell's *The Virtuoso*, the primary challenge in Orrery's particular case is how to assess, fully and reliably, the extent to which his intellectual, literary, and scientific pursuits were little more than casual diversions designed to fulfil the outward maintenance of a dilettante's reputation, or engaged in genuinely and conscientiously. Regardless of the difficulties in such an assessment, several of the personal relationships which resulted from his activities, and their legacies, demand scholarly consideration. Since the earliest examples of his endeavours outside the political and military spheres are demonstrated in his literary tastes, these will be the first to undergo examination.

## I

The literary confrontation with Bentley which facilitated Orrery's initial forays into politics also fostered his reputation as a gentleman of letters and enhanced his position among London's polite society. Ironically, much of this literary repute was chimerical, since his fellows at Christ Church bore principal responsibility for the responses to Bentley, but this fact was largely privileged information and the truth was lost on the majority of the public. Even prior to his clash with Bentley, however, playwrights and men of letters sought Orrery's patronage and he soon developed an inclination for responding favourably to these solicitations. This fact is all the more puzzling when one considers his limited potential for literary sponsorship.<sup>1</sup> In 1700 Orrery was simply the younger brother of an impoverished Irish nobleman, whose principal Irish country house had just been utterly destroyed. As such, he entertained little prospect of inheriting a fortune of consequence and seemingly, therefore, would not have appeared an overly promising object for struggling playwrights' flattery and entreaties. His salary from the Alienation Office sinecure which he was awarded amounted to a paltry £160 per year.<sup>2</sup> Combined with the £200 annuity he was to receive at age twenty based on the settlement of his mother's suit against the 1st Earl of Orrery's widow in

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<sup>1</sup>For a general discussion of literary patronage see Paul J. Korshin, 'Types of Eighteenth-Century Literary Patronage', *ECS*, vii (1974), 453-73.

<sup>2</sup>See above, Ch. 2, p. 45.

1689,<sup>3</sup> this would have left no overwhelming bounty to expend upon literary patronage.

None the less, part of his attraction may lie in the degree to which Orrery not only patronised literature but engaged in it himself. This personal involvement can only suggest an unaffected interest in the promotion of *belle lettres*. It is also worth noting that Southerne and Farquhar, two writers who enjoyed substantial support from Orrery, were both Irish-born soldiers, and perhaps this fact supplied them with some slight advantage of common identity. Furthermore, Orrery seems to have mirrored and, in some ways, augmented, his grandfather's notoriety as the archetypal seventeenth-century soldier-playwright-politician by his own exhibition of a sincere willingness to fraternise with his fellow officers, all of whom were ranked well below his own comfortable niche in the social stratum. Despite his own ambitions, however, and quite unlike his grandfather, the 4th Earl failed to make any overwhelmingly significant literary contributions. Still, his esteem among poets, dramatists, and the upper echelons of Augustan society proved important for the circle of friends and for the political and court connections which he established.

Examples of these associations and their impact upon the 4th Earl of Orrery's career are evident as early as the mid-1690s, when he attracted the attention of London booksellers while still at Oxford as a result of his efforts to acquire an extensive library. As early as 1692, the renowned printer and Kit-Cat Club founder, Jacob Tonson, supplied him with a newly-published copy of Dryden's controversial *Cleomenes*, which the self-assured, 18 year-old critic censured for excessive 'prophaneness,' yet conceded it possessed some 'fine expressions'.<sup>4</sup> After his service as an Irish MP had expired and he had returned from Paris, Orrery established a permanent domicile in London. In conformity with his avocations and the circles in which he had intentionally immersed himself in Paris and at Oxford, he came to frequent that premier gathering-place for noblemen and aspiring writers, Will's Coffee House.<sup>5</sup> Will's had been a popular preserve of playwrights, poets, and other learned libertines since the early days of Charles II's reign. During the 1690s, it was still presided over by the venerable, albeit slightly decrepit, Dryden, who had a designated seat by the fireplace. Other notable patrons included Orrery's friend, Christopher Codrington, Dr.

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<sup>3</sup>OPP, MS 13222, Bundle 6. Lady Mary Orrery to Lady Margaret Orrery, n.d. [18 April 1689]; also see above, Ch. 1, pp. 10-11.

<sup>4</sup>*Epis. Corr.*, ii, 16. Boyle to Atterbury, 10 May 1692.

<sup>5</sup>For Will's see Bryant Lillywhite, *London Coffee Houses: A Reference Book of Coffee Houses of the Seventeenth and Eighteenth Centuries* (London: George Allen & Unwin, 1963), pp. 655-59; and also E. Beresford Chancellor, *The Annals of Covent Garden and Its Neighbourhood* (London: Hutchinson & Co., 1930), pp. 193-96.

Samuel Garth, Congreve, Farquhar, Wycherley, Vanbrugh, Steele, and others.<sup>6</sup>

The circle at Will's, Orrery's political affiliations, and the links with Tonson reinforce the supposition put forth above concerning Orrery's membership in the Kit-Cat Club.<sup>7</sup> He maintained intimate friendships with many of the Will's pundits throughout his years as an MP. That he sought the company of such men is predictable in light of the experiences of his youth and his aspirations as a poet and playwright. As a member of this coterie of 'wits' Orrery came to enjoy increasing esteem in his fellows' eyes, all of whom were adherents of the 'Ancient' faction in the Boyle-Bentley controversy. Their admiration for their unwitting standard bearer is evident in a contemporary description of the members of this learned fraternity written by a French gentleman touring London:

The Honourable Mr. Boyle, tho' grandson to the famous Earl of Orrery, is yet more distinguished by his Learning, Politeness, and Affability, than by his illustrious birth. He understands Greek and Latin like a University Professor of those languages; and writes English as well, as if he had never studied anything but his Mother-Tongue. He has like his Grandfather, a happy vein in poetry.<sup>8</sup>

Orrery's associations with the Will's circle rendered his involvement in yet another series of controversial literary exchanges inevitable. One of Orrery's friends from Will's was Dr. Samuel Garth, a highly respected surgeon and poet.<sup>9</sup> Garth's extremely popular mock heroic poem, *The Dispensary*, had ridiculed the apothecary profession's pretensions to attaining status commensurable with physicians.<sup>10</sup> Garth's chief object of derision was Sir

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<sup>6</sup>Harlow, pp. 92-95; Henry Riddell Montgomery, ed., *Memoirs of the Life and Writings of Sir Richard Steele; Soldier, Dramatist, Essayist, and Patriot, With His Correspondence and Notes of His Contemporaries, the Wits and Statesmen of Queen Anne's Time* (2 vols., Edinburgh: William P. Nimmo, 1865), i, 70; Willard Connelly, *Young George Farquhar: The Restoration Drama at Twilight* (London: Cassell & Co., 1949), pp. 49-58.

<sup>7</sup>See above, Ch. 2, pp. 62-64. Many of the men who frequented Will's were also Kit-Catters.

<sup>8</sup>Abel Boyer, comp., *Letters of Wit, Politicks, and Morality* (London: for J. Hartley, 1701), pp. 215-20.

<sup>9</sup>The handful of Garth's letters which have survived are printed and discussed in John F. Sena, 'The Letters of Samuel Garth', *The Bulletin of the New York Public Library*, lxxvii (1974), 69-94; for a brief contemporary account of Garth by Lord Perceval see BL, Add. MS 47128, f. 48; for more recent accounts, cf. Cushing, pp. 5-17; C.C. Booth, 'Sir Samuel Garth, F.R.S.: The Dispensary Poet', *NRRSL*, xl (1985), 125-45.

<sup>10</sup>Garth was a Fellow of the Royal College of Physicians. His poem's title stemmed from a dispute between a member of the College and an apothecary at the College's free out-patient clinic. The College's charter granted doctors a monopoly in the practice of medicine, yet its enforcement proved all but impossible and by the 1690s many apothecaries were in fact practicing on a wide scale among London's poor; for the issues leading to the composition of the poem see the sources cited in n. 9 above, and: Richard I. Cook, *Sir Samuel Garth* (Boston: Twayne Publishers, 1980); Albert Rosenberg, *Sir Richard Blackmore: A Poet and Physician of the Augustan Age* (Lincoln: University of Nebraska Press, 1953); *idem*, 'The London Dispensary for the Sick-Poor', *Journal of the History of Medicine*, xiv (1959), 41-56; and *POAS*, vi, 58-60. Despite distinguished contributing editors, the latter source commits several errors concerning Orrery; e.g., vi, 108, 138, list him as the eldest son of the 3rd Earl of Orrery, and give his date of birth as 1676 (cf. above, Ch. 1, p. 7).

Richard Blackmore, another doctor, who was deprecated for espousing the apothecaries, along with his crude poetry and the fact of his residence in Cheapside.<sup>11</sup> Garth's *Dispensary* ran into numerous printings and three editions when it was first published in 1699.<sup>12</sup> Orrery became embroiled on Garth's side in the dispute the poem engendered through his contribution of one of four dedicatory verses found in the preface to the second and subsequent editions.<sup>13</sup>

Blackmore's literary rebuttal to Garth and his cohorts came in 1700. Entitled *A Satyr Against Wit*, Blackmore maligned the era to which he believed he was an unfortunate witness. In the years following the lapse of the Licencing Act of 1695, Blackmore and other more reformist writers thought wit in the Augustan context was more a form of obscenity or blasphemy,<sup>14</sup> a gesture of public disrespect for figures who were often satirised in verse--and in the case of Boyle against Bentley--in acerbic, ironic prose. Blackmore thought it deplorable that in this morally-deficient age, gifted authors stooped to despicable levels of debauchery and literary slander, in the process frittering away time and talent which could have been better spent in more creative and fruitful endeavours.<sup>15</sup> Such criticism was aimed directly at men such as Orrery, Garth, and their friends, and Blackmore's attacks have been interpreted as essentially little more than a renewal of hostilities in the Boyle-Bentley literary war. Blackmore drew particular attention to Garth's praise of Orrery for his 'victory' over Bentley in the Phalaris controversy. In the context of a dull and boring work inspiring a great one, Garth had commented: 'and to a Bentley 'tis we owe a Boyle',<sup>16</sup> and Blackmore pointed to Orrery in this very context as a germane and lamentable example of the focus of his tirade, implying that he for one was not fooled as to the true identity of the

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<sup>11</sup>Richard C. Boys, *Sir Richard Blackmore and the Wits: A Study of 'Commendatory Verses on the Author of the Two Arthurs and the Satyr Against Wit' (1700)* (Ann Arbor: University of Michigan Press, 1949; Rpt. New York: Octagon Books, 1969), pp. 37ff. Even Blackmore's Oxford degree and his appointment as physician to William III did little to safeguard him from the censure of the Covent Garden Wits; see *Athenae Oxonienses*, iv, 793; and *Alum. Oxon.*, i, 133.

<sup>12</sup>The poem ultimately ran into 14 editions.

<sup>13</sup>Orrery's offering, entitled 'To Dr. G\_\_th, upon the *Dispensary*', is described as 'admittedly feeble': *POAS*, vi, 142, n. 162. Upon publication of the 1709 edition, Hearne, ii, 259, commented that the congratulatory verses by Orrery, Codrington, and several others had been published 'formerly but faultily & without the Author's knowledge', presumably referring to Garth.

<sup>14</sup>*POAS*, vi, 131.

<sup>15</sup>*Term Catalogues*, iii, 173, lists the date of publication as early 1700, but other evidence suggests the poem was released several months earlier; see Boys, p. 145.

<sup>16</sup>*POAS*, vi, 108; *The Dispensary*, 9th ed. (Dublin: for Pressick Rider & Thomas Harbin, 1725), Canto V, p. 47.



author of the Christ Church responses to Bentley:

an able Senator is lost in Moyle,<sup>17</sup>  
and a fine scholar sunk by wit in B[oyl],  
After his foolish Rhimes  
both Friends and Foes conclude they know,  
who did not write his Prose.  
Wit does our Schools and Colleges invade,  
And has of Letters vast Destruction made.<sup>18</sup>

Blackmore's censure was hardly reserved for Orrery alone, however, for as the following example indicates, he also went on to condemn the entire Will's group:

The Mob of Wits is up to storm the Town,  
To pull all Virtue and right Reason down.  
Quite to subvert Religion's sacred Fence,  
To Set up Wit, and pull down common Sense...  
Their Captain *Tom* does at their Head appear...  
Against all Springs of Learning they declare...  
But the leud Crew affirm by all that's good  
They'll ne'er disperse unless they've B[entl]y's Blood.  
For that ill natur'd Critic has undone  
The Rarest Piece of Wit that e'er was shown.<sup>19</sup>

Blackmore's reference to 'Captain Tom' is also rather curious. It has been suggested that it refers not to the notorious contemporary Grub Street writer, Tom Brown, but 'Captain Tom' in the sense of the leader of a mob. Recent editors of the definitive volumes of Augustan satirical verse have speculated that the identity of the real 'Captain' of the Wits was none other than either Codrington or Orrery.<sup>20</sup> Brown himself wrote a letter which accurately reflects the Wits' admiration for Orrery's literary reputation and conveys his lingering celebrity as Bentley's conqueror:

You and I, and every Body has been charm'd with the Honourable Mr. *Boyle's* Answer to a stiff Haughty *Grammarian* that shall be nameless, but is known well enough. Never did Wit and Learning Triumph so gloriously over Dullness and Pedantry...all the *Polite Judges* in *Europe* were pleased to see an *Arrogant Pedant*, that had been crowding his Head twenty Years together with the Spoils of *Lexicons* and *Dictionaries*, worsted and foiled by a *Young Gentleman*, upon his own *Dunghill* and by his own *Criticisms*. Thus one would have thought that Mr. *Boyle's* Merit and Quality would have secured him from any *scurrilous* Treatment; and that his *Enemies*, if he could have any such, wou'd be content to *Envy* him in Private, and never have the Impudence to *Attack*

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<sup>17</sup>Walter Moyle (1672-1721), a product of Oxford and the Middle Temple, was MP for Saltash, Cornwall and a fellow wit.

<sup>18</sup>Richard Blackmore, *A Satyr Against Wit* (London: Samuel Crouch, 1700), p. 8; some rather puzzling evidence from a letter attributed to 1695 suggests that Orrery was then contemplating a collaborative edition of Herodotus, along with Joseph Addison and noneother than Blackmore himself. This collaboration can only be explained by the fact that the hostility between the 'Wits' was not manifested toward Blackmore until after publication of the *Satyr* in 1700: Walter Graham, ed., *The Letters of Joseph Addison* (2 vols., Oxford: University Press, 1941), i, 1-2; Boys, p. 51, n. 12; Rosenberg, *Blackmore*, p. 31.

<sup>19</sup>*Satyr Against Wit*, p. 6, line 95ff.; *idem*, *POAS*, vi, 138-39; and partially cited in Rosenberg, *Blackmore*, p. 44.

<sup>20</sup>*POAS*, vi, 138; Boys, p. 23, argues that the reference is to Codrington; cf. Hearne, ii, 259.

him in Publick.<sup>21</sup>

Understandably, Blackmore's poem provoked an outrage among the Will's circle and left little doubt as to his opinion of their society or his attitude about the Ancients' school of scholarship. The several dozen 'Wits' wounded by Blackmore's barbed lampoons in one manner or another (and probably urged on by Codrington and Orrery),<sup>22</sup> resolved on a swift retribution and combined their talents for an incisive rejoinder. The libellous sarcasm thus continued in March 1700, with a publication popularly known as *Commendatory Verses*.<sup>23</sup> The second edition's slightly-revised title revealed its true purpose:<sup>24</sup> a humorous stab at Blackmore undertaken by a wide assortment of characters which included the notorious rake Sir Charles Sedley, Lord Normanby,<sup>25</sup> Anglesea, Lady Sandwich, playwrights such as Steele, John Dennis, William Burnaby,<sup>26</sup> and Francis Manning,<sup>27</sup> and Dr. Thomas Smith of Magdalen College, Oxford.<sup>28</sup>

It is indicative of the pervasive influence of the Boyle-Bentley controversy and yet another example of the young nobleman's fame that he is praised in nearly every one of the respective contributions. Poet William Walsh, whom Orrery had met in Paris in 1698,<sup>29</sup> relegated Blackmore to the level of Bentley, claiming that learned litterateurs would 'fly from B[ent]ly and converse with B[oy]lle'. Lady Sandwich, soon to become Orrery's parliamentary patroness, was equally censorious. In a contribution entitled 'To a Thrice Illustrious Quack, Pedant, and Bard', she accused Blackmore of 'Dullness equal to the Impudence' and asked the world:

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<sup>21</sup>See the letter, published anonymously, and dated 8 Jan. 1700, in Thomas Brown, comp., *Familiar and Courtly letters, to Persons of Honour and Quality, by Mons. Voiture, a Member of the Royal Academy at Paris,...* Volume I. *Made English by John Dryden, Esq; Tho. Cheek, Esq; With a Collection of Translations and Original Letters on Several Subjects*, 3rd ed. (London: for S.B. and sold by the booksellers of London and Westminster, 1701), pp. 133-34; partially cited in Boys, p. 22; and in *POAS*, vi, 134.

<sup>22</sup>*POAS*, vii, 198.

<sup>23</sup>The complete title was: *Commendatory Verses on the Author of the Two Arthurs and the Satyr Against Wit*. Orrery, Codrington, and Brown were apparent ringleaders in the work's composition; see Boys, pp. 22-53; *POAS*, vi, 138; and Benjamin Boyce, *Tom Brown of Facetious Memory: Grub Street in the Age of Dryden* (Cambridge, Mass.: Harvard University Press, 1939), pp. 119-20; for Codrington's contribution see Bodl., MS Ballard 20, f. 29; and Harlow, p. 230.

<sup>24</sup>[Thomas Brown], *Commendatory Verses: Or, a Step Towards a Poetical War Betwixt Covent-Garden and Cheap-Side; By Several Hands, Together With an Epitome of that Immortal Poem Call'd, A Satyr Against Wit* (London: for J. Nutt, 1702).

<sup>25</sup>John Sheffield, later created Duke of Buckingham.

<sup>26</sup>William Burnaby (1672-1706), authored *The Reform'd Wife; Ladies Visiting-Day*, (1701); *Love Betray'd; or, The Agreeable Disappointment*, (1703); and *The Modish Husband*, (1702).

<sup>27</sup>For more details on Manning see below, pp. 471-73.

<sup>28</sup>For the numerous witty contributors, see Rosenberg, *Blackmore*, pp. 50-51; Boys, pp. 47-53.

<sup>29</sup>Harlow, p. 86; for Walsh's writings see *The Works of William Walsh, Esq; in Prose and Verse* (London: for E. Curll, 1736).

Are D\_\_\_\_n, C\_dr\_n, G\_th, V\_\_\_\_h, B\_\_le,<sup>30</sup>  
Those names Wonder that adorn our Isle,  
Fit Subjects for the vile Pedantick,  
Hence Saucy Usher to thy Desk Again.<sup>31</sup>

Orrery's own contribution, which may display some of his best poetic offerings, was entitled 'The Quack Corrected: or, Advice to the Knight of the Ill-favour'd Muse.' It read:

Let *Bl-----re* still, in good King *Arthur's* vein,  
To *Fleckno's* Empire his just Right maintain.  
Let him his own to common Sence oppose,  
With Praise and Slander maul both Friends and Foes:  
Let him great *Dr-d-n's* awful Name profane;  
And learned *G-r-th* with envious Pride disdain,  
*Codron's* bright Genius with vile Punns lampoon,  
And run a Muck at all the Wits in Town;  
Let the Quack scribble any thing but Bills,  
His Satyr Wounds not, but his Physick Kills.<sup>32</sup>

Codrington's contribution savaged Blackmore but also launched the primary attack on Bentley,<sup>33</sup> and perhaps Orrery's speech defending Codrington in the Commons two years later was a return of this favour.<sup>34</sup>

Blackmore and his own anonymous confederates were not easily cowed, and responded in kind with verses utilising an unusually ironic twist in their title. They dubbed their counterblow *Discommendatory Verses*,<sup>35</sup> and it was designed and composed in a manner identical to the collection of poems which had provoked it. It also identified the author of each section of *Commendatory Verses* with remarkable accuracy and then subjected him to savage ridicule and libel. Blackmore directed a ruthless attack on Codrington, but his response to Orrery was especially damning as well and is worth quoting in its entirety.

The Noble Corrected; or Advice to a Quality Commentator,  
who Writes in Defence of Greek Epistles as if he understood 'em.

Let *B--le* write on, and still'd a Man of Letters,  
Prefer Dull Heavy Authors to their Betters;  
Let him His own to *B---ly's* Sence oppose,  
And knowing little fancy much he knows  
Let *D--nis*<sup>36</sup> in his Commendation strain,  
And *Codron* praise him, to be prais'd again;

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<sup>30</sup>I.e., Dryden, Codron (Codrington), Garth, Vanbrugh, Boyle.

<sup>31</sup>For Lady Sandwich's contribution see pp. 7-8 of the original work; and Boys, pp. 82-83.

<sup>32</sup>*Commendatory Verses*, p. 3; and the poem reprinted in Boys, p. 73.

<sup>33</sup>Bodl., MS Ballard 20, f. 29; Harlow, p. 230.

<sup>34</sup>See above, Ch. 2, pp. 60-61.

<sup>35</sup>Sir Richard Blackmore, *Discommendatory Verses on those which are Truly Commendatory on the Author of the Two Arthurs and the Satyr Against Wit* (London: for Samuel Crouch, 1700); Harlow, p. 232.

<sup>36</sup>Playwright John Dennis, (1657-1734), the author of *Iphigenia*, had written an attack upon Blackmore's poetry in 1696. See also Dennis' *An Essay Upon Publick Spirit; Being a Satyr in Prose upon the Manners and Luxury of the Times, the Chief Sources of our Present Parties and Divisions* (London: printed for Bernard Lintott, 1711).

Let every Wit, and every Beau declare  
What his bright Genius is, and what They are;  
As some commend his Parts, and some his Cloaths,  
Let him be any thing they please in Prose.

But ye who seemingly appear his Friends,  
And basely flatter him for sordid Ends,  
Perswade him to avoid the Muses Hill,  
Then give me leave to do the thing that's safe.  
And fling away some Verse in your Behalf.

That you have Travell'd is exceeding true,  
And that your L-----p's Muse hath Teeth to shew,  
But among all the Frolicks you have shewn,  
Religion is a *Trick* you ne'er have known.<sup>37</sup>

Blackmore's comments raise a number of intriguing questions and may provide more clues as to the genuine reputation and personality of the young, soon-to-be 4th Earl of Orrery, than might be suspected upon initial glance. Blackmore seems keenly aware that Orrery's literary future would only be fulfilled as a dilettanté and suggests that his more gifted clients would do their employer justice by persuading him to settle for a less active literary role. The last line of Blackmore's poem is the most intriguing of all. How can an aristocratic young gentleman carefully schooled in an Anglican and Tory environment be labelled irreligious? Perhaps Blackmore's comments belied an already widely-known propensity for Orrery's libertine behaviour, some of which was hinted at during his 1698 trip to Paris.<sup>38</sup> Furthermore, the comment makes for a fascinating comparison when juxtaposed with Budgell's, otherwise one of very few shreds of evidence for Orrery's religious views.<sup>39</sup> Budgell admiringly touts Orrery's 'great and open Way of thinking' yet ~~defends~~ his subject's ostensible religious indifference by commenting that he 'looked upon himself obliged to conform in Publick to the established Religion of his Country, and neither to say or advance any Thing which might bring that religion into Contempt'.<sup>40</sup> Budgell's flattering observations can usually be interpreted as suspicious, and, antithetically, the few scattered negative remarks he makes about his subject are more than likely gross understatements. The extreme step of imparting a description labelling his patron as little more than a dispassionate deist is, therefore, most revealing indeed. Moreover, the potential significance of his comments should be stressed, for they may help explain a political career in which Orrery's opportunism betrays few of the characteristics of a man with firm political convictions, and

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<sup>37</sup>*Discommendatory Verses*, p. 4; *idem*, printed in Boys, pp. 81-82.

<sup>38</sup>See above, Ch. 2, p. 43.

<sup>39</sup>For Orrery's religious views analysed in the context of his associations with Dissenting poet Elijah Fenton, *cf.* below, p. 468.

<sup>40</sup>Budgell, pp. 240-41.

in which the line distinguishing moderate Court Whig from moderate Tory is frequently blurred, transitory and in a state of flux.

Unlike the end result of the Phalaris debate, contemporaries apparently found it more difficult to pronounce a victor in the exchanges between Garth, Blackmore and their respective confederates. Blackmore remained actively engaged against his adversaries until at least 1704, with the appearance of an anonymous poem in the vein of *Discommendatory Verses* entitled *The Tryal of Skill*.<sup>41</sup> Thereafter, the combatants' concern waned, and public attention was diverted towards more pressing issues following the escalation of the war in Flanders and domestic political concerns.<sup>42</sup> Yet, just as the Boyle-Bentley exchanges that had helped provoke the original criticism of Blackmore's work, his associations with and defence of Bentley cast his as a losing battle. The Garth/Blackmore squabble was basically an extension of the Boyle-Bentley quarrel, thus, it serves as yet another demonstration of that dispute's ubiquitous, albeit illusionary, and in some quarters, negative influence on the 4th Earl of Orrery's reputation.

## II

Orrery's minor contributions to works of satirical verse in defence of Garth and his Will's compatriots were merely a prelude to his own more ambitious efforts and consequential patronage of several playwrights. His literary notoriety ensured that even before the acclaim from his reply to Bentley had subsided, Orrery was seen as a source of patronage. Since he maintained a rapport with many of the pundits who frequented Will's throughout his years as an MP, this ensured frequent contact with members of London's literary society and was probably responsible for the introduction to some of the playwrights whom he took under his wing. Despite a social gulf which existed between Orrery the patron and those he supported and encouraged, the common thread of military associations ran between several of them. It is also difficult to overemphasise the importance of the theatre during Anne's reign. Productions were often strongly political in content, composed for aristocratic audiences filled with officers who returned to London for the winter.<sup>43</sup> Inevitably, there was a strong

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<sup>41</sup>See *The Tryal of Skill; Or a New Season of the Poets* (London: for the booksellers of London and Westminster, 1704), and below, pp. 464, 471-72. Some years later Blackmore continued the ridicule with *An Essay Upon Wit* (London: for George Grierson, 1716).

<sup>42</sup>Brown, a leading instigator of the Will's response, died in 1704; for this and further discussion of *Tryal* see Rosenberg, *Blackmore*, pp. 68-69, 95.

<sup>43</sup>For the background to the theatre in Queen Anne's reign see Allardyce Nicoll, *A History of Early Eighteenth Century Drama, 1700-1750* (Cambridge: Cambridge University Press, 1925), pp.

interrelationship between Orrery's patronage and the soldier-playwright image which he endeavoured to perpetuate and which lingered in the shadowed legacies of 1st Earl.

One of Orrery's earliest and most significant literary friendships was the one he formed with Irish playwright Thomas Southerne.<sup>44</sup> Though it is unclear how and when Orrery first became acquainted with this Dublin-born soldier-playwright from a humble family, it would appear that he was exposed to Southerne's plays in the early 1690s while at Oxford. Southerne's 'unforgivably dull' *The Maid's Last Prayer; or Any Rather Than Fail*, one of his less popular efforts, was staged in February 1693 in Drury Lane.<sup>45</sup> In the prefatory dedication, the author lavished panegyrics and fulsome praise upon the enlightened young gentleman. Eager to please a prospective benefactor, Southerne portrayed Orrery as the exemplary Augustan courtier, one whose character and behaviour were 'the pattern of every man's gallant imitation',<sup>46</sup> a characterisation foreshadowing popular consensus after the Boyle-Bentley controversy. Southerne's contacts with Orrery were not for nought, and a long friendship spawned between them continued between the playwright and his patron's son, John, 5th Earl of Orrery.<sup>47</sup> Southerne rather unexpectedly went into virtual retirement from the stage in 1698, at the zenith of his career. The sole exception to this retirement was in 1700, when Orrery and Codrington contributed, respectively, a prologue and an epilogue to Southerne's poorly-received *The Fate of Capua*. The play was a sombre historical tragedy, an unlikely offering from Southerne, who had hitherto responded to popular demand for bawdy comedies more typical of Restoration playwrights.<sup>48</sup> It is also interesting to compare the respective political sentiments of patron and patroness. Both displayed increasingly Whiggish tendencies by the time Southerne began to serve as Orrery's regimental agent, and even

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1-15; Loftis, *Politics of Drama in Augustan England*, pp. 35-62.

<sup>44</sup>One of the most complete studies of Southerne's works is Clifford Leech, 'The Life and Works of Thomas Southerne' (unpublished M.A., University of London, 1932). The recent, definitive Jordan and Love edition of *The Works of Thomas Southerne*, i, xx-xxiii, contains a useful discussion of his relationship with Orrery.

<sup>45</sup>Southerne is supposed to have assisted Dryden in the latter's *Cleomanes*: Leech, 'Life of Southerne', pp. 105, 110-12, 120.

<sup>46</sup>Thomas Southerne, *Plays Written by Thomas Southerne, Esq.; Now First Collected, with an Account of the Life and Writings of the Author*, T. Evans, comp. (2 vols., London: for T. Evans & T. Becket, 1774), ii, 92ff. Southerne's life and works are also examined in John Wendell Dodds, *Thomas Southerne, Dramatist* (New Haven: Yale University Press, 1933); Leech, 'Life of Southerne', p. 112, sees Southerne's praise of the young Orrery as evidence of his desperation.

<sup>47</sup>*Orrery Papers*, i, 120-282, *passim*; *Works of Southerne*, i, xx-xxiii.

<sup>48</sup>For Orrery's prologue see Southerne, *Life and Writings*, iii, 1-4, 73; Harlow, pp. 98-99. For the public's negative reactions to the play see Dodds, pp. 163-75; and John Downes, *Roscus Anglicanus: Or, An Historical Review of the Stage* (London: H. Playford, 1708), pp. 45, 257; cf. Leech, 'Life of Southerne', p. 244, for discussion of its critical acclaim.

earlier. Southerne, attacked in *A Satyr Against Wit*, was also the target of a savage lampoon in *The Tryal of Skill*.<sup>49</sup>

Southerne's appointment as Orrery's regimental agent seems to confirm that the playwright's cultivation of his principal patron was successful.<sup>50</sup> Southerne held the position until at least 1713, and, as was the common practice, he appears to have derived no small advantage from his regimental agency. There is, however, evidence suggesting that a dispute had occurred between Orrery and Southerne by 1713 and continued into the 1720s, possibly because of improprieties in his agency.<sup>51</sup> For example, Southerne was denied an invitation to partake of the activities of Bolingbroke's Brothers Society 1711. Furthermore, in the preface to his play *The Spartan Dame*, published in 1719, Southerne extolled the virtues of Orrery's friend, Argyll as though the duke had been Southerne's only important patron and thus revealing 'a somewhat slighting treatment of Orrery.' This neglect appears to have been remedied in Southerne's next play, however, when a decade later, Southerne consented to launch his play *Money the Mistress*. Published in 1726, the dedication to John, Lord Boyle, confessed 'Obligations that I must ever have to my great Benefactor the Earl of Orrery...It is to his Favour that I have now in my old age Favour the reasonable Comforts of Life.'<sup>52</sup> Indeed, the friendship between Southerne and Orrery's son appears to have evolved into one that was even more intimate than that which the playwright enjoyed with his Colonel.<sup>53</sup>

Of all the playwrights who counted Orrery among their friends and patrons, George Farquhar's literary contributions are the most significant. It is, therefore, an unfortunate irony that so little evidence has survived which might illuminate Farquhar's relationship with his patron. His associations with Orrery's regiment have been alluded to above and

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<sup>49</sup>His commission's award drew particular fire in this poem because of his association with the notorious Jacobite turncoat Sir Thomas Prendergast, the same officer who assumed command of Orrery's first regiment and was killed at Malplaquet in 1709: see above, Ch. 3, p. 90, n. 125; and Leech, 'Life of Southerne', p. 261. Southerne's political allegiance is also discussed in *Works of Southerne*, i, xxviii; and Clifford Leech, 'The Political "Disloyalty" of Thomas Southerne', *Modern Language Review*, xxvii (1933), 421-30.

<sup>50</sup>Southerne was probably also aided by the fact that his brother-in-law was James Brydges, Marlborough's Paymaster General: *Works of Southerne*, i, xxvix.

<sup>51</sup>*Works of Southerne*, i, xxix, xxxiii; Jordan, 'Southerne', pp. 19-21; also see above, Ch. 7, p. 289, n. 220.

<sup>52</sup>*Works of Southerne*, i, xxxiii; *idem*, ii, 364-65.

<sup>53</sup>For Southerne's visits to Marston in the 1730s, see *Orrery Papers*, i, 120-282, *passim*; *Works of Southerne*, i, xx-xxiii; and John Duncombe, *Letters by Several Eminent Persons Deceased, Including the Correspondence of John Hughes, Esq., and Several of His Friends*, 2nd ed. (3 vols., London: for J. Johnson, 1773), ii, 34-36. John, 5th Earl of Orrery to Southerne, Marston, 1 Nov. 1733.

constitute virtually all that is known about his links with Orrery. An Irish-born soldier, Farquhar, like Southerne, seems to have been a natural candidate for Orrery's literary patronage. Four years younger than Orrery, he was sent to Trinity College, Dublin, but was seduced by the 'polite entertainments of the town' and forsook his studies. His entrée into London's theatre world occurred when he was befriended by the actor John Wilkes, who accompanied him to London around 1696, thus placing him there soon after Orrery completed his studies at Christ Church. Farquhar's biographer links him immediately with the wits at Will's, and it was probably there that the playwright first encountered Orrery, although for some unknown reason, and unlike Southerne, he does not appear to have received patronage at this early stage. Wilkes is also reputed to have interceded with Orrery on Farquhar's behalf for the commission as lieutenant of grenadiers which the latter acquired in Orrery's Foot after a previous appointment had failed. Thereafter, Orrery developed an especially close--if tragically short-lived--friendship with Farquhar.<sup>54</sup>

It is almost certainly to this friendship that the world owes an enormous debt in the form of *The Recruiting Officer*, one of Farquhar's two great works and based upon his experiences while beating for recruits for Orrery's Foot in Shropshire and Staffordshire.<sup>55</sup> In February 1706 Farquhar submitted *The Recruiting Officer* to his bookseller in exchange for £16. The play opened on Monday, 8 April 1707. The Saturday performance later in the week was reportedly attended by numerous 'persons of quality' and probably saw the attendance of Ormonde and Orrery. Farquhar had secured his commanding officer's prior permission for a dedication, and both Orrery and the Lord Lieutenant were objects of accolade and gave the play their enthusiastic approval.<sup>56</sup> It does not seem totally implausible to suggest that he may have obtained some assistance from Orrery, although there is little more than circumstantial evidence, such as Orrery's position as Farquhar's colonel and his own literary interests, for such a collaboration.<sup>57</sup> *The Recruiting Officer's* success was followed by Farquhar's best known work, *The Beaux Stratagem*, but the hapless playwright, burdened with debt after having been deceived into an unhappy marriage, succumbed to illness in the midst

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<sup>54</sup>Willard Connelly, *Young George Farquhar: The Restoration Drama at Twilight* (London: Cassell & Co., 1949), pp. 222-23, reports that Orrery 'loved the gay character himself as much as he esteemed his talent.'

<sup>55</sup>PRO, WO 25/3149/29; and above, Ch. 3, p. 73.

<sup>56</sup>The play was first published: (London: Bernard Lintott, 1707); for a commendatory letter from Orrery, see Sutherland's untitled article, p. 171; cited above, Ch. 3, p. 73, n. 21.

<sup>57</sup>The play appeared after the unfavourable reception of Orrery's work in 1703, for which, see below, pp. 474-76.



of his fame.

Perhaps the least likely candidate to have enjoyed Orrery's friendship and patronage was minor poet Elijah Fenton.<sup>58</sup> Although impossible to determine for certain, it is possible that the aspiring poet was assisted in his quest for patronage by some familial ties to Orrery.<sup>59</sup> Unlike Farquhar and Southerne, the Staffordshire-born Fenton came from a Dissenting background and attended Jesus College, Cambridge. Nevertheless he was associated with Orrery for well over a decade. Considerable confusion has persisted regarding their friendship's origins and the dates and length of his service.<sup>60</sup> Several accounts mistakenly place Fenton as Orrery's secretary 'in Flanders' in 1705. This error stems from a misleading comment in the preface to the 5th Earl of Orrery's *Letters From Italy*, where his chaplain described Fenton as the 4th Earl's secretary 'in some of his campaigns in Flanders & who after being dismissed from that employment in 1705', was appointed master of the free school at Sevenoaks, and then became tutor to Orrery's only son John.<sup>61</sup> Since Orrery was an MP through 1705, and his first Flanders campaign did not occur until 1707, these accounts obviously fail to match the evidence. Fenton's associations with Orrery, therefore, probably date from no earlier than 1707. He was certainly serving as Orrery's secretary in early 1712, however, and was probably performing the same capacity when it was concluded a year later.<sup>62</sup> Presumably, then, Fenton began his employment as John's tutor after Orrery's return from Brussels in 1713, at which time the boy would have been about six years old. Other evidence verifies Fenton as master at Orrery's boyhood school at Sevenoaks in 1709,<sup>63</sup> an appointment Fenton may have owed to Orrery's own links with the school and the Sackville family.

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<sup>58</sup>Fenton's background is discussed in the most recent monograph, which is Earl Harlan, *Elijah Fenton, 1683-1730* (Philadelphia: University of Pennsylvania Press, 1937), pp. 9-42.

<sup>59</sup>The 1st Earl of Cork's wife was Catherine Fenton, a woman from a prominent Jacobean family with longstanding links to Staffordshire, and the daughter of Sir Geoffrey Fenton, Irish Secretary of State under Elizabeth and James I. It is unclear whether the relationship, if indeed it existed, was ever acknowledged: Harlan, pp. 11, 66.

<sup>60</sup>An admirable but flawed attempt to clarify the discrepancies in dates of his service is made in Harlan, pp. 26ff.

<sup>61</sup>John, 5th Earl of Cork & Orrery, *Letters from Italy* (London: B. White, 1773), p. i. The *Letters* date from the 5th Earl's trip in 1754-55. A manuscript copy of the *Letters* prepared for publication is in OPH, MS Eng. 218.9; and MS Eng. 218.10 is a printed first edition. Also see Duncombe, *Letters by Several Eminent Persons*, ii, 39; cf. *Gentleman's Magazine* liv (1785), 10.

<sup>62</sup>Bodl., MS Ballard 14, f. 44. John Burnam to Charlett, 25 Feb. 1711; BL, Add. MS 22221, f. 349; and *idem*, cited by Harlan, pp. 29, 34.

<sup>63</sup>HMC, *Fourth Report of the Royal Commission on Historical Manuscripts, Part I, Report and Appendix* (London: Eyre & Spottiswoode, 1874), p. 208; *idem*, cited in Harlan, p. 33; Fenton's *Epistle to Thomas Southerne*, discussed below, is addressed from Kent & dated 28 Jan. 1711, shortly before Orrery set out for Brussels.

Another clue to Orrery's earliest associations with Fenton lies in the publication date of one of his collections of poems. An assorted collection of poetry published in 1708, the *Oxford and Cambridge Miscellany Poems* was primarily Fenton's work but contained the offerings of a number of other authors as well, including two short lyrical poems which were written by Orrery.<sup>64</sup> The *Miscellany's* 1708 publication date probably coincides approximately with Fenton's relationship with Orrery and reception of his patronage. The patron's own melancholy, reflective musings on the disappointments of love and the mysteries of the female psyche were the subjects of one of these, a six stanza poem entitled 'The Indifferent; A Song to the tune of Lalerida', a title which some might judge as descriptive of the poem's literary merit. Orrery's second contribution was a slightly modified version of his 'Song Done from Anacreon', composed for the 1701 performance of *Altemira*, an adaptation of one of his grandfather's plays.<sup>65</sup>

Fenton's poetry also reflects Orrery's shifting political loyalties. In 1711 Fenton published his *Epistle to Thomas Southerne*.<sup>66</sup> Largely a laudatory appraisal of Southerne's dramatic abilities and expressions of gratitude for his friendship,<sup>67</sup> the *Epistle* is an interesting poem for other reasons as well. In 1707, possibly prior to the cultivation of his friendship with Orrery, Fenton wrote a poem in praise of Marlborough,<sup>68</sup> yet in the *Epistle to Southerne* he comes out heartily for St. John and the Harley Ministry. This provides another clue to the beginning of Fenton's contacts with Orrery; it is doubtful the latter would have patronised an admirer of Marlborough as late as 1709-1710 when he was opposing him in the army.<sup>69</sup> Fenton's poem suggests that Orrery could still be classified as a moderate Whig and possibly a Marlborough supporter in 1707, and may verify that, as with Argyll, Orrery's hostility towards Marlborough originated during the 1709 campaign and was encouraged by Sacheverell's prosecution and the indications of an imminent change in the ministry.

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<sup>64</sup>*Oxford and Cambridge Miscellany Poems* (London: for Bernard Lintott, [1708]). The book was advertised in the *Daily Courant* of 6-8 January 1708; cf. Harlan, p. 32, who lists the publication date as 1709.

<sup>65</sup>Orrery's poems are found in Fenton, *Miscellany*, pp. 158-60, 193; for *Altemira*, see below, pp. 471-73.

<sup>66</sup>Elijah Fenton, *An Epistle to Mr. Southerne, from Mr. El. Fenton. From Kent, Jan. 28. 1710/11* (London: for Benj. Tooke; and Bernard Lintott, 1711); the poem was subtitled: 'On the fate of the tragic muse in England'.

<sup>67</sup>Southerne later served as a sort of mentor to Fenton, and Orrery probably introduced the two; see *Works of Southerne*, i, xxxiv; Harlan, pp. 38, 117; Leech, pp. 326ff.

<sup>68</sup>Fenton, *Miscellany*, p. 341; Harlan, p. 32.

<sup>69</sup>In 1711 Fenton wrote a one-page anonymous poem on Marlborough's dismissal entitled: *M. Manlius Capitolinus* (London: John Morphew, 1712).

Fenton's poem also demonstrated the substantial favour he enjoyed with Orrery. Judging by comments made about him and other noblemen in jest, Fenton freely practised poetic licence and made witty puns about the reputations and personal characteristics of his noble acquaintances. Lines suggesting Fenton would 'Try to correct what Orrery shall write' or 'pretend to teach Argyle to fight' may allude to an aspect of Orrery's personality which helps explain his literary patronage.<sup>70</sup> Budgell commented on Orrery's propensity for associating with two kinds of people: either geniuses 'who had fine Understandings, strong Judgements, and true Tastes; or with such as had a few Foibles and an Eye of Ridicule in them which served to make him laugh.'<sup>71</sup> Fenton, it could be argued, notorious for both indolence and corpulence in later life, qualifies in the latter category, his foibles and poetry confirming Budgell's testament to Orrery's liberal and witty sense of humour and his willingness to bear the barb of satiric verse from a friend who enjoyed his patronage without danger of retribution.

As Fenton's biographer analysed for reasons contrary to those of the present study, additional evidence for determining Orrery's religious views is discernible from a scrutiny of those of his poet friend. Fenton's biographer argued persuasively that with the Boyle family's traditional Anglican background, it is extremely improbable that Orrery would have entrusted the education of his only son to a Dissenter.<sup>72</sup> Furthermore, Orrery later expressed his strongest reservations toward support of the Stuart Pretender based on concerns about his unwillingness to at least offer a tacit renunciation of his Catholicism.<sup>73</sup> Consequently, it can be deduced that Fenton, just as Budgell intimated as to Orrery, was nominally Anglican and probably not overly religious in any real sense of the word. Regardless of their religious preferences, Fenton remained friendly with his patron after Orrery's embassy was concluded. Fenton's other principal literary contribution was a volume of poems dating from 1717, simply entitled *Poems on Several Occasions*.<sup>74</sup> This work reprinted the *Epistle to Southerne* as well as a similar offering, Fenton's *Epistle to Thomas Lambard*,<sup>75</sup> a poem that

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<sup>70</sup>Fenton's poem also included lines with references to leading ministers: e.g. 'And Harley by what schemes he ought to Steer'; for these see *Epistle to Southerne*, p. 81.

<sup>71</sup>Budgell, p. 242.

<sup>72</sup>Harlan, pp. 69, 75.

<sup>73</sup>See above, Ch. 8, p. 313.

<sup>74</sup>Elijah Fenton, *Poems on Several Occasions* (London: for Bernard Lintot, 1717). The dedication page in the British Library's copy is signed 'E. Fenton'.

<sup>75</sup>See *Poems*, pp. 196-217.

further demonstrates Fenton's close links to Orrery and, at the same time, provides a glimpse of the type of relationship Orrery enjoyed with his fellow officers, including Multon Lambarde, the younger brother of the *Epistle*'s object, and Heneage Twysden.<sup>76</sup> Leisurely days spent reposing at the Lambarde and Twysden Kentish estates are described, as well as Fenton's natural inclination for inactivity, encouraged by Orrery's generosity and 'Indulgence wrapt in Ease'. Fenton's *Epistle to Thomas Lambard* also exalts Argyll's military prowess at Malplaquet, confirming his close associations with Orrery around 1710, from which the poem dates.<sup>77</sup> In 1716 Fenton took his own shot at Blackmore.<sup>78</sup>

After 1722, Fenton's friendship with Orrery diminished somewhat, but he remained close to the latter's son, John, during the later years of the 4th Earl's life. In 1723 Fenton adapted a story from the 1st Earl of Orrery's play *Herod the Great*, and converted it into a play of his own entitled *Mariamne*.<sup>79</sup> Southerne assisted with the production and the work was quite successful.<sup>80</sup> Fenton later had some associations with Pope and collaborated in his translation of *The Odyssey*. He died a year before Orrery in 1730 of a condition the 5th Earl of Orrery ascribed to 'a great chair and two bottles of port a day.'<sup>81</sup> Nevertheless, his impact upon his primary student was significant. The 5th Earl was deeply saddened by his death and credited Fenton with teaching him to read English and his proficiency in Latin.<sup>82</sup>

### III

It is in the midst of Orrery's early parliamentary career and his early patronage of playwrights such as Southerne that he was most active in the composition and promotion of his own literary offerings. In December 1701 London newspapers announced the opening of a new play at the theatre at Lincoln's Inn Fields entitled *Altemira*. This production, like

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<sup>76</sup>See above, Ch. 3, p. 72, n. 12, and p. 91.

<sup>77</sup>*Poems*, pp. 197, 213; *idem*, cited in Harlan, p. 76.

<sup>78</sup>Fenton's anonymous poem, *A Letter to the Knight of the Sable Shield* (London: for Bernard Lintot, 1716), was a satire on Blackmore and Tonson.

<sup>79</sup>*Mariamne: A Tragedy* (London: for J. Tonson, 1723). The play was performed at the Theatre Royal in Lincoln's-Inn-Fields. It enjoyed several editions in the 1720s and was reprinted throughout the eighteenth century.

<sup>80</sup>Fenton reciprocated with the prologue to Southerne's *The Spartan Dame* the same year; cf. Leech, 'Life of Southerne', p. 307; and above, p. 464.

<sup>81</sup>Duncombe, *Letters by Several Eminent Persons*, ii, 39; for this and Fenton's legendary indolence also see Johnson, *Lives of the Poets*, ii, 262-63; Harlan, p. 177.

<sup>82</sup>BL, Add. MS 10388, f. 10v.

Southerne's earlier work, *The Fate of Capua*, proved no great success on the London stage. It is noteworthy, however, for several reasons. The play marks a turning point in Orrery's literary career because it is the first theatrical work in which he tried his hand at stagecraft. Furthermore, the play also embodies the most readily visible manifestations of Orrery's efforts to further the legacy of and to emulate and pay homage to perhaps the strongest, yet indirect, formative influence in his life, the grandfather he hardly knew. Before proceeding to examine this production of his grandfather's work, it is necessary to comment on its inspiration, historiography and significance.

The dramatic works of Roger, 1st Earl of Orrery, have been strangely ignored by scholars in the past few decades,<sup>83</sup> but two recent critical studies go some way toward rectifying this situation.<sup>84</sup> Highlighting this unwarranted neglect, these two works draw attention to the fact that, as both a playwright and a politician, the 1st Earl of Orrery was undoubtedly among a handful of the most powerful men in England from 1650 to 1670.<sup>85</sup> They also see him as achieving unsurpassed brilliance in his chosen genre, the heroic drama.<sup>86</sup> Heavily grounded in historical allegory, the 1st Earl's works reflected events in the recent memories of his Restoration audience and, particularly, his own painful recollections of events during the Commonwealth and Protectorate. One view sees his plays as 'very specific royalist propaganda' intended to entertain as well as to ingratiate the dramatist with Charles II.<sup>87</sup> Another recent study is more sympathetic toward Orrery's moral dilemma and his own memories. Nancy Klein Maguire's insightful and persuasive analysis shows how in Orrery's tumultuous life his royalist-Anglican world was very literally turned upside down, and as a result, Orrery must have undergone periods of conflicting loyalties, confusion, and dilemmas, which engendered remorse. His plays, then, served as a sort of self-inflicted cathartic purge which helped

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<sup>83</sup>The sole modern monograph is that of Lynch, (cited above, Ch. 1, p. 3, n. 8); despite a wealth of contemporary source material, this work and a prefatory introduction in Clark's edition of *Dramatic Works of Roger Boyle*, i, 3-59, remain the only recent biographical studies.

<sup>84</sup>Mita Choudhury, 'Orrery and the London Stage: A Loyalist's Contribution to Restoration Allegorical Drama', *Studia Neophilologia*, lxii (1990), 43-59; and Nancy Klein Maguire, 'Regicide and Reparation: The Autobiographical Drama of Roger Boyle, Earl of Orrery', *English Literary Renaissance*, xxi (1991), 257-82.

<sup>85</sup>Maguire, pp. 257-58, calls him the single most important Restoration playwright; cf. recent comments about him from a political perspective in Ronald Hutton, *Charles II* (Oxford: Clarendon Press, 1986), pp. 260, 372.

<sup>86</sup>For a recent discussion of the genre itself see J. Douglas Canfield, 'The Significance of the Restoration Rhymed Heroic Play', *ECS*, xiii (1979), 49-62.

<sup>87</sup>Choudhury, pp. 57-58.

to exorcise his regicidal guilt and his anxieties over his close Cromwellian associations.<sup>88</sup> Constraints of space preclude a detailed examination of the 1st Earl of Orrery's plays, yet his grandson's close association with his first, *The General*, dictates that it undergo closer scrutiny. Arguably his most important, the play's basic themes and features served as the foundation for his later works. The 4th Earl of Orrery's primary responsibility for plans to stage a new version of the play in 1701 under the title, *Altemira*, gives it an added significance.

*Altemira* may well possess the most interesting and complex history of any Restoration-era play. First staged privately in Dublin in 1662, it met brilliant public acclaim upon its premier performances in London two years later. Both performances saw it presented under its original title, *The General*, and it is thought important because it was the first heroic tragedy in English not derived from a French play.<sup>89</sup> The play's subsequent history is less certain, with the strongest clue being found in Francis Manning's dedication to the revived version which appeared some four decades later.<sup>90</sup> Manning, a minor playwright, fellow Oxonian and protégé of Orrery's, later served as a diplomat in the Swiss cantons.<sup>91</sup> In 1700 and 1703 he authored several plays classified in a sub-genre known as 'intrigue' comedies.<sup>92</sup> *The Tryal of Skill* had implied that Manning presented works for publication which were actually authored by Orrery:

Stiff Manning...was left to make use  
of the Crutches of Art,  
That Another guessed Genius had worn.  
And permitted to Father the Works were produc'd,  
From other Men's Labour and Toil,  
And since what h'had written himself was refus'd,  
To adopt things was written by Boyl.<sup>93</sup>

<sup>88</sup>Maguire, pp. 261, 275-82.

<sup>89</sup>Lynch, *Orrery*, pp. 117-18, who also argues it was performed as *Altemera*.

<sup>90</sup>*Altemira* (London: for John Nutt, 1702); cf. *Works of Roger Boyle*, i, 104-07.

<sup>91</sup>*Biographica Britannica*, ii, 912; Shrells, ii, 197. Manning matric. Trinity, Oxford, 1689; Middle Temple 1690; Inner Temple, 1693; British representative in the Grisons 1709 and resident at Coire, May 1710-Oct. 1713; at Berne, 1716-22; *Alum. Oxon.*, iii, 966; *Orrery Papers*, i, 25-26; BL, Add. MS 31136, f. 131; *Dip. Reps.*, pp. 146-47; BL, Add. MS 61651, ff. 149b, 186b, f. 209. For attempts to murder him in Zurich see NYPL, Wyndham Misc. MS, n.f. Henry St. John to Abraham Stanyan, 20 July 1711. Manning was later pensioned by the Court during the reign of George II: Bodl., MS Rawlinson C-445, n.f.

<sup>92</sup>*All For the Better: or, the Infallible Cure* (London: B. Bragg, 1703); Nicoll, pp. 169-70. *All for the Better* was performed at Drury Lane Theatre and contained a prologue by Farquhar. Among other works, Manning was also responsible for: *The Shrine. A Poem, Sacred to the Memory of King William III* (London: for Bernard Lintott, 1702); *Poems Upon Several Occasions and to Several Persons* (London: G. Croom, for R. Tuckyr, 1701); and, after Orrery's death, several poems addressed to Walpole.

<sup>93</sup>See this stanza of *The Tryal of Skill*, printed in *POAS*, vi, 690.

The 'guessed Genius' reference poses interesting possibilities. The logical interpretation corresponds to Blackmore's allusion to Orrery's minimal role in the Boyle-Bentley responses. If so, the possibility follows that Orrery may have wished to avoid further embarrassment stemming from public rejection or harsh criticism of his literary efforts, and the identity of the 'Guessed Genius' no longer seems in doubt.

Manning reported that around 1700 the then Honourable Charles Boyle stumbled upon a manuscript of the play's text among some family muniments. In Manning's dedication of *Altemira* to Lionel, 3rd Earl of Orrery, the playwright claimed the play had been left incomplete by the 1st Earl, whose grandson, Charles, now ordered him (Manning) to 'bring the play upon the stage.' Manning then seems to have brought the manuscript to the attention of leading Lincoln's Inn Field actor, Thomas Betterton.<sup>94</sup> Manning's claim is corroborated by some manuscript notes on the 1st Earl's literary contributions penned between 1729 and 1731 by the 4th Earl's son, Lord Boyle,<sup>95</sup> yet it seems incredible that neither the 4th Earl nor anyone else associated with the 1701 production of *Altemira* lacked knowledge of its previous staging under another name.<sup>96</sup> The degree of Manning's participation in *Altemira*'s alteration is also difficult to determine. Orrery may have blamed him for the play's lacklustre showing, for he does not seem to have enjoyed the nobleman's favour thereafter.<sup>97</sup> Textual analysis proves that Orrery himself undertook considerable revision which has been described as a 'polishing of the dialogue' consisting primarily of a general abbreviation and deletion of sections of rather tedious speeches made by certain characters, particularly in Acts IV and V.<sup>98</sup> In addition to his editions, Orrery also contributed an epilogue and three short songs

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<sup>94</sup>For Betterton's career see Judith Milhous, *Thomas Betterton and the Management of Lincoln's Inn Fields, 1695-1708* (Carbondale: Southern Illinois University Press, 1979); and Philip H. Highfill, Jr., Kalmin A. Burnim, and Edward A. Langhams, eds., *A Biographical Dictionary of Actors, Actresses, Musicians, Dancers, Managers and Other Stage Personnel in London, 1660-1800* (16 vols., Carbondale, Southern Illinois University Press, 1973-93), ii, 73-96.

<sup>95</sup>OPH, MS Eng. 218.13F, pp. 1-2; *idem*, cited in *Works of Roger Boyle*, i, 105; *ibid.*, ii, 950; and Canfield, p. 61.

<sup>96</sup>*Works of Roger Boyle*, i, 106-07; for similar plays published in 1705 and 1728 and erroneously attributed to the 1st Earl of Orrery, see W.S. Clark, 'Notes on Two Orrery Manuscripts', *Modern Language Notes*, xlv (1929), 1-6.

<sup>97</sup>Possibly, Manning's intentions were inordinately transparent, and he may not have enjoyed the same degree of intimacy that Orrery shared with men such as Fenton. Two years after Orrery's death, and over a decade after Marlborough's, Manning penned the anonymous: *The British Hero; or the Vision. A poem. Sacred to the Immortal Memory of John late Duke of Marlborough, Prince of the Roman Empire &c.* (London: for Francis Clay and J. Roberts, 1733), a work of which Orrery would surely have disapproved.

<sup>98</sup>BL, Add. MS 10388, f. 5; *Works of Roger Boyle*, i, 106-07. Manning claimed the 4th Earl of Orrery struggled to separate 'from a vast Variety of Wit, and Redundance of Moral Thoughts (which made the Whole of an Extream Length) the most Beautiful and Instructive' parts of the play; see the dedication to *Altemira*.

to the play, all of which were printed.<sup>99</sup> A modern editor has speculated that the songs were added so as to 'enliven the old play and increase its contemporary appeal',<sup>100</sup> and this same intention may lie behind Orrery's edition and deletion of sections of the dialogue. Since there is little evidence that he possessed any musical abilities, it is very likely that Orrery was assisted in this endeavour by John Walsh, who made musical contributions to one of Manning's plays and to a later, even more significant production, Orrery's sole dramatic foray.<sup>101</sup> Whatever can be asserted about the play's effect upon Orrery's relationship with Manning, the play gave evidence of the beginnings of a friendship of even greater consequence: that with Henry St. John, who wrote the play's prologue, which was recited by Betterton.<sup>102</sup>

Despite the participation of such rising political and literary talents, *Altemira* scarcely warrants a footnote in theatrical histories of the period. Indeed, ambiguity remains as to whether it was ever actually performed. An admittedly unreliable contemporary description of early eighteenth-century dramatic offerings,<sup>103</sup> as well as more recent studies, suggests that it was published but never performed.<sup>104</sup> Newspapers, however, announced its publication with descriptions of the printed version as offered in the form 'as it is now acted',<sup>105</sup> which Manning's own remarks confirm. In the prefatory dedication he stated that the play 'had the good Fortune to meet with Justice from the Actors, and Applause from the Audience'.<sup>106</sup> Whatever the case, even Orrery himself seems to have realised the genre's outmoded appeal; a line from his epilogue remarked that the play was out of vogue because 'it contradicts too much the present tast[e]'.<sup>107</sup> From the distance of three

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<sup>99</sup>BL, Add. MS 10388, f. 6; Emmett L. Avery, *et al.*, eds., *The London Stage, 1660-1800* (8 vols. in 5 pts., Carbondale: Southern Illinois University Press, 1960-68), i, pt. 2, p. 17; his three brief lyrical poems included the song from Anacreon referred to above, p. 467; the songs themselves are found in *Altemira*, pp. 11-12, 14-15, 34-35. For the impact an epilogue or prologue's could have upon a play's notoriety see R. Morton, '"Blot and Insert Where You Please": The Fortunes of 18th Century Play Texts', in Paul S. Fritz and D. Williams, eds., *The Triumph of Culture: 18th Century Perspectives* (Toronto: A.M. Hakkert, Ltd., 1972), p. 124.

<sup>100</sup>*Works of Roger Boyle*, i, 107.

<sup>101</sup>William C. Smith, *A Bibliography of the Musical Works Published by John Walsh during the Years 1695-1720* (London: Oxford University Press, 1948), pp. 31, 37.

<sup>102</sup>*Biographica Britannica*, ii, 912; Shrells, ii, 197; Cooke, *Memoirs of Bolingbroke*, i, 14-15; and Dickinson, *Bolingbroke*, p. 9.

<sup>103</sup>Downes failed to mention the play in his guide to the theatre.

<sup>104</sup>Ward, *History of English Dramatic Literature*, v, 120; Nicoll, p. 299.

<sup>105</sup>*Flying Post*, 18-20 Dec. 1701; *London Gazette*, 18-22 Dec. 1701.

<sup>106</sup>*Altemira*, dedication; *idem*, *Works of Roger Boyle*, i, 106.

<sup>107</sup>*Altemira*, epilogue. Only two rhymed heroic plays appeared from 1677 to 1700, when there occurred something of a minor revival of the genre and of older works; Canfield, p. 58.



centuries it is impossible to say for certain whether *Altemira*'s revival was anything more than blatant ancestor glorification. Such sentiments surely bore some relation to his desire to restage the play. With it and the 4th Earl's interest in his grandfather's works later in the 1720s, his reverence and esteem for his illustrious ancestor are most clearly manifested.<sup>108</sup> Also worth pondering are the implications of a connection between the 4th Earl's revival of a play based on a story of the restoration of a legitimate monarch, its thinly-cloaked allegorical representation of the Stuarts, and Orrery's own conversion to Jacobitism and his very real efforts to restore another exiled Stuart sovereign which began in the 1710s and continued until his death in 1731.

#### IV

Frustrated in his quest for acclaim as a writer in these endeavours, Orrery must have held high aspirations for his own published play, which premiered at Lincoln's Inn Fields on 28 April 1703.<sup>109</sup> A ribald comedy largely conforming with the dramatic standards of the era, Orrery's play, *As You Find It*, was probably the product of some unacknowledged assistance from Southerne.<sup>110</sup> The play related the familiar story of unfaithful husbands, jealous suitors, and humorously vindictive wives.<sup>111</sup> But it was not, however, simply a typical bawdy Restoration drama telling the predictable story of deception and secret trysts. A recent history of the theatre where it was performed has described it as 'a reform play with a marital-discord theme'.<sup>112</sup> The play contained a four-part musical dialogue by Walsh which was performed by a character named Mr. Corbett.<sup>113</sup> Perhaps presaging a future relationship, the play's epilogue was by George Granville, later Lord Lansdowne and a Jacobite conspirator.

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<sup>108</sup>*Altemira* was later included in a collection of the 1st Earl of Orrery's plays published in 1739 and originally compiled by the 4th Earl: Charles, Earl of Orrery, ed., *The Dramatic Works of Roger Boyle, Earl of Orrery: To which is Added a Comedy, Intituled As You Find It* (2 vols., London: for R. Dodsley, 1739), ii.

<sup>109</sup>The play was advertised in *Daily Courant*, 27 April 1703; Nicoll, p. 299.

<sup>110</sup>*Works of Southerne*, i, xxxv.

<sup>111</sup>The play was originally published by Robert Parker in 1703. It was also included in *Dramatic Works of Orrery* (cited above, n. 108), ii.

<sup>112</sup>Milhous, *Betterton*, p. 182; cf. Robert D. Hume, *The Development of English Drama in the Late Seventeenth Century* (Oxford: Clarendon Press, 1976), p. 467. For a useful discussion of the five predominant types of comedies see Robert D. Hume, 'The Multifarious Forms of Eighteenth-Century Comedy', in George Winchester Stone, Jr., ed., *The Stage and the Page: London's "Whole Show" in the Eighteenth-Century Theatre* (Berkeley: University of California Press, 1981), pp. 3-32.

<sup>113</sup>*The Post-Man*, 4-6 May 1703, quoted in Smith, *Musical Works by Walsh*, p. 37.

Opinions as to the play's merit and dramatic qualities have varied widely. The leading roles were played by the most gifted actors in the company, including Verbruggen and Betterton, who read the prologue.<sup>114</sup> Budgell, Orrery's adulatory biographer, claimed the play's only flaw was that it possessed 'too much Wit; a Fault so seldom committed by any of our modern Writers of Plays' that Orrery was thus vindicated.<sup>115</sup> Other contemporaries acquainted with the play were less forgiving. Some were still making sarcastic remarks about Orrery's 'comedy' several years after its performance.<sup>116</sup> A half-century later Lady Mary Wortley-Montagu, perhaps reflecting malice toward her brother-in-law's duellist adversary, ridiculed Orrery for partiality to his own 'silly works'.<sup>117</sup> An early nineteenth-century critic accused Orrery of forgetting his own plot and in the process fathering one of the dullest comedies in existence.<sup>118</sup> A later and much kinder writer expressed a divergent opinion, calling Orrery's play a 'lively' effort similar in style to Colley Cibber's earlier works. A scene in Act III was said to contain a particularly colourful description of an early eighteenth-century chocolate house.<sup>119</sup> More recently, Farquhar's biographer judged Orrery's dialogue as 'sensible,' yet faulted the plot and its three love affairs for their lack of cohesion.<sup>120</sup>

Upon reading the play, one of the most disconcerting aspects which immediately comes to mind is its rather abrupt ending, which seems to occur before certain elements of the plot developed in earlier scenes are brought to a satisfactory resolution. One of the more puzzling lines is found in Scene II. Two women discussing a young squire named 'Sir Oliver Rattlehead' describe him as a 'finish'd coxcomb' who was 'as fond of having the reputation of a Scholar, as a young Templer is of having that of a Rakehell.'<sup>121</sup> With all the similar insults and accusations of sciolism with which Orrery was forced to contend, such a comment

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<sup>114</sup>*Biographical Dictionary of Actors*, xv, 135.

<sup>115</sup>Budgell, p. 196.

<sup>116</sup>In 1705 Lord Stanhope wrote to Atterbury: 'you had no assistance in your dull sermon from the Earl of Orrery, any more than he had from you in the witty play he writ.': *Epis. Corr.*, ii, 26-33; *idem*, quoted in *Memoirs of Atterbury*, i, 164.

<sup>117</sup>See her letter to Lady Bute, 23 June 1754, in *The Letters and Works of Lady Mary Wortley Montagu*, 3rd ed., W. Moy Thomas, ed. (2 vols., London: Henry G. Bohn, 1861), ii, 248-55.

<sup>118</sup>John Genest, *Some Account of the English Stage, From the Restoration in 1660 to 1830* (10 vols., Bath: H.E. Carrington, 1832), ii, 292-93.

<sup>119</sup>Ward, *History of English Dramatic Literature*, iii, 344-45, who also wrongly identifies the author as the 3rd Earl of Orrery.

<sup>120</sup>Connelly, p. 208.

<sup>121</sup>*As You Find It*, in *Dramatic Works of Orrery*, ii, 410.

almost strikes one as a good-humoured admission of inferiority. It is also interesting to speculate whether Orrery's play, which looks upon marriage favourably, had any impact upon the similar view of the subject matter of Farquhar's *The Beaux Stratagem*, a play that is also often regarded as the first English play to treat the subject of divorce openly. It should be repeated that it is not inconceivable that Farquhar, Southerne, or another playwright friend may have offered some critical advice or assistance.

Orrery's play met with a lukewarm public reception, but it was not without some impact. The play does not seem to have remained in production longer than two weeks,<sup>122</sup> yet a recent study of Betterton noticed that it was mentioned in the prologues and epilogues of two rival Drury Lane productions in subsequent months, and cites this as evidence that it ran 'fairly well.'<sup>123</sup> At the same time, some explanation of the theatrical background of the play is warranted. The years between 1695 and 1705 are a period about which little is known, but were a time of instability and turmoil for the theatre at Lincoln's Inn Fields.<sup>124</sup> Competition between London's two theatres was fierce, and plays staged at Lincoln's Inn were almost always less successful than rival Drury Lane productions, partly due to diminished interest in the less fashionable theatre and actors who were sometimes inferior.<sup>125</sup>

Orrery's play appeared in the midst of this troubled period. Efforts to augment attendance are evidenced by numerous embellishments and various gimmicks, such as the addition of more musical pieces and auxiliary performers such as vaulters,<sup>126</sup> which were increasingly offered to heighten the popularity of English plays. Orrery's own play reflected this practice. Advertisements for its opening performance promised 'several Entertainments of

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<sup>122</sup>Like *Altemira*, Downes fails to mention the play, but this may be yet another indication of the unreliability of his guide.

<sup>123</sup>*Love's Contrivance*, in the summer of 1703, and *The Faithfull Bride of Granada* in January 1704: see Milhous, *Betterton*, p. 182, n. 59.

<sup>124</sup>After an 'Actor's Rebellion' in 1695 Lincoln's Inn actors, largely under the guidance of leading men Verbruggen and Betterton, had acquired a controlling interest in company shares and finances. This arrangement was terminated in 1704, however, after intra-company friction and allegations of Betterton's embezzlement at the very time of Orrery's play's performances: see the petition against Betterton in Judith Milhous and Robert D. Hume, eds., *A Register of English Theatrical Documents, 1660-1737* (2 vols., Carbondale: Southern Illinois University Press, 1991), i, 367. This period and the Actor's Rebellion is also analysed in Robert D. Hume, 'Company Management', in Robert D. Hume, ed., *The London Theatre World, 1660-1800* (Carbondale: Southern Illinois University Press, 1980), pp. 1-10; and Milhous, *Betterton*, pp. 151-85.

<sup>125</sup>Nicoll, p. 51; foreign actors arriving in London were warned to seek employment at Drury Lane first.

<sup>126</sup>The *Daily Courant*, 26 April 1703, announced plans for a man to vault over 'the manag'd horse', and while standing on his head, was to hold several glasses of wine in his hand and consume them before performing an aerial somersault over the back of the horse. Hume, *Development of English Drama*, p. 460, describes the same stunt and characterises this period as one of a 'circus atmosphere' in London theatres.

Dancing' and a 'Variety of Singing' between acts.<sup>127</sup> *As You Find It* was also the last of a series of four comedies performed at Lincoln's Inn Fields in the 1702-1703 season. The three previous offerings were all unsuccessful for various reasons, including casting errors and financial constraints. Previous productions and poor audience expectations, therefore, may well have had a negative effect on *As You Find It*'s acclaim. Finally, it should be pointed out that members of the Lincoln's Inn company were vociferous in their criticism of the public's taste in plays and its apparent preference for foreign actors and plays. Disapproval was often reflected in comments found in prologues and epilogues, and Betterton's biographer has cited *As You Find It* as a prime example of a play exhibiting a didactic introduction which many Augustans must have found patronising and offensive.<sup>128</sup>

Notwithstanding these mitigating factors, and the obvious disappointment which must have resulted from the limited success of *As You Find It*, Orrery did not withdraw entirely from London's literary world. Instead, he thereafter assumed the role of a modest eighteenth-century Maecenas, principally acting in the guise of friend and patron, rather than as a direct participant, in the composition and production of works for publication or the stage. Manuscript copies of three Shakespearian plays which include *Hamlet*, *The Merchant of Venice*, and *The Merry Wives of Windsor*, and which are in Orrery's own hand, suggest that Orrery had intended to publish his own edition of the works around the same time that *As You Find It* was performed.<sup>129</sup> If Orrery did engage in the publication of other literary works, they were either submitted anonymously or under the name of one of his underlings. One example may be seen in the year 1705, with the release of *Perolla and Izadora*, a tragedy in blank verse which was performed at the prestigious Drury Lane Theatre. Although its authorship is uncertain, Manning is a likely candidate.<sup>130</sup> Another work sometimes attributed to Orrery is the poem *An Ode to the Creator of the World*, which was published in 1713 as the work of accomplished essayist John Hughes.<sup>131</sup> He should not be confused with the cleric who served in

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<sup>127</sup>*Daily Courant*, 27 April 1703; Milhous, *Betterton*, pp. 184-85, records that there were more singers and dancers employed during the 1703-04 season than at any other time in the history of the Lincoln's Inn Fields Theatre.

<sup>128</sup>Milhous, *Betterton*, pp. 176, 182.

<sup>129</sup>The copies are found in the University of Edinburgh Library, Halliwell-Phillips Collection, MSS 324-26. The original source of the copies is unknown.

<sup>130</sup>The play's dedication acknowledged a gift from Orrery, and was based on the apparently unpublished novel *Parthenissa*, that was written by the 1st Earl of Orrery: Ward, *History of English Dramatic Literature*, ii, 596-97; Morgan, iii, 426.

<sup>131</sup>Papali, p. 187. Hughes contributed articles to the *Spectator*, *Tatler* and *Guardian* and was respected by Pope, Swift, Steele, Congreve and other literary figures. He also had some ties to Lord Cowper, who employed him as Sec. to the Commissioners of the Peace: *Memoirs of Atterbury*,

Flanders as Orrery's chaplain and briefly went into exile with Atterbury in 1723.<sup>132</sup>

After 1706, increasingly lengthy absences from London resulting from his military career and his diplomatic activities restricted Orrery's literary avocations. He may have attracted literary solicitations in Brussels during his embassy. Orrery was the object of dedication in a manuscript verse play in French entitled *La Mort d'Antiochus*, which was possibly published in Brussels and penned in 1711 by an author known to us only as Robert.<sup>133</sup> Prior reference has been made to Orrery's attendance at meetings of the Brothers' Society in 1711-1712, which were largely inspired by political affiliations and his friendship with Bolingbroke, rather than the Society's professed aims of literary patronage. Orrery's lost verses in dedication to the Pretender have also been noted above.<sup>134</sup> On the death of his friend John, Duke of Buckingham, in February 1721, Orrery also composed a brief poem for the widowed Duchess.<sup>135</sup>

Later in life, when Orrery had begun spending more time in retirement at one of his country estates, he seems to have developed a renewed interest for the literary works of his grandfather and encouraged a similar interest in his son John. Among the Orrery muniments at Harvard is an impressive first edition of the 1st Earl's play, *Herod the Great*, which is described as the 4th Earl's copy. It includes a memoir on the more famous Earl's writings wrongly attributed to 'his grandson', when they are in reality the literary reflections of John, then Lord Boyle.<sup>136</sup> Orrery also took time in his semi-retirement to compose an essay in English on Cicero's *Orations*, which is dated 1729.<sup>137</sup> Orrery also subscribed to Swift's *Dublin Miscellany* in 1730 and dined with Swift in Dublin in July 1731 just before Orrery's death.<sup>138</sup>

Aside from these modest activities, Orrery's withdrawal from the publication of literary

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i, 108. Herts. RO, Panshanger MS D/EP, F61, contains 24 letters from Hughes to Lord and Lady Cowper from 1717-22, but they shed no light on the poet's relationship with Orrery.

<sup>132</sup>BL, Add. MS 32686, f. 329; and above, Ch. 10, p. 396.

<sup>133</sup>The play was published the same year, and is contained in OPH, MS Eng. 218.28.

<sup>134</sup>See above, Ch. 8, p. 306.

<sup>135</sup>Mary Caesar's copy of the poem is endorsed 'Lord Orrery to the Dutchis': BL, Add. MS 62558, f. 46. In 1730 the Duchess served as godmother at the baptism of Orrery's second grandson: OPH, MS Eng. 218.2, i, 152-53. John, Lord Boyle to Mr. Trevanion, Leicester Fields, 26 Feb. 1730.

<sup>136</sup>The memoirs in this volume of manuscripts are entirely in Lord Boyle's handwriting and are of great interest, containing unpublished anecdotes and a great deal of information about *Altemira*; OPH, MS Eng. 218.13F; cf. *Works of Roger Boyle*, ii, 949-53. Probably with his father's encouragement, John's interest led to the compilation of the 1739 edition of the 1st Earl's plays cited above, p. 474, n. 108.

<sup>137</sup>OPH, MS Eng. 218.7.

<sup>138</sup>*Swift Corr.*, iv, 168, 238.

works was complete by the 1730s. Before turning to his scientific endeavours, it is necessary to mention his links to one additional character whose renown lies not in the development of late-Restoration era drama or satirical verse, but in early American literature and the literary and social history of colonial America. William Byrd II of Westover enjoyed a primarily personal and intellectual relationship with Orrery, and there are many fascinating parallels and similarities in their lives. Born the same year as Orrery in 1674, Byrd was the eldest son of a successful Virginia tobacco planter with large holdings on the James River, approximately halfway between Williamsburg and Richmond. Sent to England for his education, he entered the Middle Temple in the 1690s, but like many gentlemen of his generation he found London's polite distractions infinitely more interesting. During this period he met Orrery and the two became close, lifelong friends, sharing a common circle of acquaintances like the group at Will's.<sup>139</sup> Byrd's interest in serving in Orrery's regiment has been noted,<sup>140</sup> yet he and Orrery also pursued other mutual interests. Both men were affiliated with the Royal Society and were avid bibliophiles.<sup>141</sup> After returning to Virginia in 1704, Byrd became an influential figure in colonial politics. Following the death of his first wife, he also spent several additional years in London from 1718-1719 in a disappointing search for a young heiress as his second bride.<sup>142</sup>

One of the reasons for Byrd's historical importance lies in the fact that for most of his life he kept an amazingly-intimate diary in an obscure form of shorthand. Portions of the diary were widely dispersed over subsequent centuries, but three separate segments survived and were discovered and deciphered in the 1940s and 1950s. Within one of these segments, there are occasional, unique references--often frustratingly vague or terse, yet valuable

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<sup>139</sup>They seem to have been introduced by Sir Robert Southwell; see BL, Microfilm M662, (Letters of William Byrd to Sir Robert Southwell & others, 1701-04), *passim*; Royal Society, MS Journal Book (Copy), 1696-1702, p. 234; and the concise biography in the introduction to Byrd's *London Diary*, pp. 3-46.

<sup>140</sup>See above, Ch. 3, p. 72.

<sup>141</sup>At Byrd's death in 1744 his personal library contained more books than the Harvard College Library. His Royal Society activity is analysed below, while his literary and intellectual contributions are charted in Richard Beale Davis, *Intellectual Life in the Colonial South, 1585-1763* (3 vols. Knoxville: University of Tennessee Press, 1978), ii, 808, 820, 844-83, and iii, 1250-52, 1367-74; a useful guide to works about Byrd is Rose Marie Cutting, ed., *John and William Bartram, William Byrd II & St. John de Crevecoeur: A Reference Guide* (Boston: G.K. Hall, 1976), pp. 73-105.

<sup>142</sup>In the 1730s he was commissioned to survey the boundary between Virginia and North Carolina. Kenneth Lockridge, *The Diary and Life of William Byrd II of Virginia, 1674-1744* (Chapel Hill: University of North Carolina Press, 1987), is the most recent study of Byrd's life and analyses motivations for his keeping the infamous diary; cf. Pierre Marambaud, *William Byrd of Westover, 1674-1744* (Charlottesville: University Press of Virginia, 1977).

none the less--to Orrery's personal and political associations during the periods Byrd was in London.<sup>143</sup> Byrd and Orrery remained friends after his departure in 1719,<sup>144</sup> despite the fact that Byrd never returned to England.<sup>145</sup> After his death in 1744, a monument was erected in the garden of Westover, his splendid Georgian mansion on the banks of the James. The marble obelisk still bears an inscription proclaiming Byrd's gratitude for the friendship of his 'most bosom companion, Charles 4th Earl of Orrery'.<sup>146</sup>

## V

The foregoing discussion has established that in addition to his regimental obligations, Orrery was able by 1705 to divert and amuse himself by various forms of literary activity. Within the same period, and perhaps throughout his life, he also nurtured a keen fascination for the realm of science. Considering that his illustrious relative was the eminent English scientist Robert Boyle, this was not surprising, yet it is difficult to assess the extent of Orrery's relationship with his uncle, who died in 1691, and any influence he may have exerted upon his young nephew. The only extant correspondence between them is a single brief letter from 1690 written upon Orrery's admission to Oxford,<sup>147</sup> and its tone and subject matter fail to indicate any extraordinary degree of affection or imply frequency of contact between them. Since the former's reputation was well-known at Oxford and comparisons were inevitable, Orrery may have viewed his uncle as something of an intellectual role model regardless of their relative mutual familiarity. Furthermore, and also contrary to expectations, Orrery

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<sup>143</sup>*London Diary*, pp. 111, 188, and pp. 200-65, *passim*.

<sup>144</sup>Many of Byrd's most interesting letters describing living conditions and the flora and fauna in colonial Virginia are the ones he wrote to Orrery and to Lord Boyle in the 1720s. These are scattered among: OPH, MS Eng. 218.2, i, 3-6, 23-27, 36-45, 53-58, 168-69, 172-74. Many of these many of these are also printed in *Orrery Papers*, i, 49-52, 57-62, 70-72, 79-81, 83-87, 117, 119-22; and more recently in: *Byrd Corr.*, i, 326-27, 354-61; 362-65, 370-71, 373, 393-94, 429-33.

<sup>145</sup>For Byrd's condolences to the 5th Earl of Orrery upon learning of his father's death see: OPH, MS Eng. 218.2, i, 50-53. Byrd to John, Earl of Orrery, 20 July 1732; *idem*, *Orrery Papers*, i, 117-18.

<sup>146</sup>The grounds of Westover remain open to the public. As a young man Byrd had his portrait done by Kneller and exchanged portraits with Orrery. Both of these portraits have survived and at present are held in private collections which are as of yet untraced by the present author: David Meschutt, 'William Byrd and His Portrait Collection', *Journal of Early Southern Decorative Arts*, xiv (1988), 28-46; Davis, *Intellectual Life in the Colonial South*, iii, 1251; and an earlier work which erroneously identifies Orrery as the 3rd Earl: W.S. Morton, 'The Portraits at Lower Brandon, and Upper Brandon, Virginia', *William and Mary Quarterly*, 2nd ser., x (1930), 338-40.

<sup>147</sup>See above, Ch. 1, p. 14; *cf.* R.E.W. Maddison, 'A Tentative Index of the Correspondence of Robert Boyle', *NRRSL*, xiii (1958-59), 128-201.

does not seem to have inherited any of his uncle's books or his scientific instruments following Boyle's death in 1691.<sup>148</sup>

Orrery's literary and academic inclinations were also reflected in his own personal library. Ranked among the finest in England, it consisted of over 10,000 volumes and included works in English, Greek, French, Italian, and Latin, as well as a complete set of *The Journals of the House of Lords*.<sup>149</sup> Shortly after his death in 1731 it was noted that the collection, which was bequeathed to Christ Church, was valued 'some years' earlier at £8,000.<sup>150</sup> Contemporaries numbered it as among the most valuable collections donated to Oxford in the eighteenth century,<sup>151</sup> and this opinion has persisted. Not surprisingly, his library was particularly strong in its scientific books. In a comprehensive description of Oxford's scientific holdings delivered in a lecture given in the 1930s, the legacy of Orrery's library remained evident: 'The wealth of Christ Church in scientific literature of the 16th and 17th centuries transcends the possibility of adequate record...Owing principally to the benefaction of Charles Boyle, 4th Earl of Orrery, who collected all available literature between 1690 and 1730.'<sup>152</sup> Still preserved in the Christ Church College Library, Orrery's books occupy 13 bays and one entire wall of an upper level. Six of the bays contain medical books and treatises, and the remainder are a treasure trove of early modern works on astronomy, mathematics and physics.<sup>153</sup>

The earliest manifestations of Orrery's scientific interests stemmed from his weak constitution and the recurring health problems he had experienced since his days at Oxford in the 1690s,<sup>154</sup> and which recurred throughout his life. Along with his preoccupation in other branches of science, Orrery's intestinal disorders seem to have sparked his interest in medicine. He was an avid reader and collector of domestic and foreign treatises on herbs, medicines, and prescriptions, formulating and administering his own concoctions to a wide

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<sup>148</sup>Copies of Boyle's will are fairly abundant; one can be found in OPH, MS Eng. 218.21F; cf. R.E.W. Maddison, 'Studies in the Life of Robert Boyle, F.R.S.: Part III, The Charitable Disposal of Robert Boyle's Residual Estate', *NRRSL*, xx (1952), 15-27; H.A. Feisenberger, 'The Libraries of Newton, Hooke and Boyle', *NRRSL*, xxi (1966), 42-55.

<sup>149</sup>For a description see HMC, *Portland*, vi, 181; *Letters from Italy*, p. iv; and Budgell, pp. 254-55.

<sup>150</sup>Hearne, x, 453; Bodl., MS Rawlinson C-27, f. 315.

<sup>151</sup>Bodl., MS Ballard 37, f. 43.

<sup>152</sup>R.T. Gunther, *Oxford and the History of Science* (Oxford: University Press, 1934), [inaugural lecture given in the Examination Schools in 1934].

<sup>153</sup>The present author is indebted to Mr. H.J.R. Wing, Librarian of Christ Church, for permission to examine the Orrery Library during a visit in June 1992.

<sup>154</sup>*Epis. Corr.*, ii, 14-15. Boyle to Atterbury, 22 March 1692; cf. above, Ch. 1, p. 16.



circle of friends.<sup>155</sup> Budgell maintained that Orrery was assiduous in enquiring about novel foreign medicinal discoveries and concoctions, employing people to relate the discoveries of drugs and medicinal compounds used abroad, and that in addition to prescriptions, he wrote 'Diaries of the progress of Distempers' in a 'Hippocratic' style.<sup>156</sup> These medical writings are not found among the Orrery Papers at Harvard and evidently have been lost.

Complimenting his interest in medicinal concoctions was Orrery's fascination with the physical sciences and astronomy. By 1706 he had amassed a massive, unique collection of scientific instruments, including spheres, microscopes, telescopes, quadrants, and early slide rules. For reasons which will be clarified below, these too were bequeathed to Christ Church. The circumstances of this bequest were extremely fortuitous, for it stipulated that the collection was to remain intact and not be dispersed. A few weeks after Orrery's death a detailed inventory of this collection was compiled before it was transported there,<sup>157</sup> yet some time after the collection was brought to Oxford it was completely forgotten. Then, following nearly two centuries of neglect, it was accidentally re-discovered in a cupboard in the 1910s. Today it comprises a priceless assortment for historians of science. Among its numerous treasures are a seventeenth-century camera obscura used to create outlines for landscape tracings; an instrument known as a 'Sky Optick' which was used to project eclipses and sunspots onto a screen for viewing; over thirty different bubble levels, including what is perhaps the only known example of a circular bubble level; and a double microscope designed for viewing the circulation of the blood which has been described as 'of the very greatest importance...on account of the extreme rarity of models of this period.' Dating from around 1693, it is essentially one of the very first modern microscopes and one of only two of its kind in existence.<sup>158</sup> Another most interesting specimen is an extremely rare set of military scales or counters. These consist of engraved rectangular brass plates which were apparently used to plot the positions of battalions of troops on the battlefield. As these date from the 1670s, it is logical to assume that they may have once belonged to the 1st Earl

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<sup>155</sup>OPH, MS Eng. 218.2, i, 36; Budgell, p. 237; *Byrd Corr.*, i, 356. Byrd to Orrery, 2 Feb. 1727; Collins, *Peerage*, vii, 161; *Biographica Britannica*, ii, 936; Barlow, *Peerage*, ii, 256.

<sup>156</sup>Budgell, p. 237.

<sup>157</sup>For a facsimile of the complete inventory by Thomas Wright see R.T. Gunther, *Early Science in Oxford* (15 vols., Oxford: Clarendon Press, 1920; Rpt. London: Dawson's, 1967), i, App. A, 380-82.

<sup>158</sup>Gunther, *Early Science*, i, 285; *idem*, ii, 277-80; the collection is currently on loan to the History of Science Museum in Oxford. For illustrations of some the instruments see *idem*, i, 52, 146, 172-73.

of Orrery, author of *The Art of War*.<sup>159</sup>

A majority of the instruments are the handiwork of one John Rowley and the collection is reckoned to be the finest representation of his work in existence. Their nature confirms that most were commissioned and ordered specifically by Orrery himself.<sup>160</sup> There is, however, virtually no surviving evidence that might provide descriptions or comments about Orrery actually using these instruments. Thus, it is problematic to attempt to ascertain whether he was a conscientious scientist or simply a dilettanté who relished flaunting sophisticated toys for visitors. At any rate, the immense range and size of the collection and its unique qualities tend to demand an appreciation of the sheer diversity of his interests. Several of the globes and planetariums were recognised as among the most distinctive instruments in the Orrery collection. These globes are also owing to Rowley's talents. One of these was eventually named after Orrery himself, thereby ensuring that it, and he, would be remembered forever.

Throughout the 1700s a good deal of confusion was propagated about the original version of the device which became known as the orrery, as well as about its inventor's identity.<sup>161</sup> It is incorrect to associate the invention of the device exclusively with the nobleman for whom it was named, for orrery-like instruments existed prior to their association with the 4th Earl of Orrery.<sup>162</sup> The most famous example of the device, however, appeared sometime between 1700 and 1705, when Orrery began patronising the work and experimentation of George Graham, a skilled Quaker 'mechanician'.<sup>163</sup> Tradition has it that at Orrery's behest, Graham invented a novel, planetarium-type apparatus by which the positions and orbital paths of stars and planets could be charted. To demonstrate these movements, his original creation used revolving and rotating spheres, suspended on wires, which were connected by a metal

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<sup>159</sup>Gunther, *Early Science*, i, 146; and above, Ch. 1, p. 5.

<sup>160</sup>Gunther, *Early Science*, i, 95.

<sup>161</sup>Isaac Thompson, *A Description of the Orrery: Wherein the Structure and Several Parts of that Curious Machine, are Fully Explain'd...* (Newcastle: W. Cuthbert, [1750?]), p. 4, implies it was invented by the 4th Earl himself; as does Thomas Dilworth, *A New and Complete Description of the Terrestrial and Celestial Globes, with their Several Uses...To Which is Annexed, an Appendix, Concerning the Nature and Use of the orrery...* (London: Richard and Henry Causton, 1775), pp. 173-75, adding that both were named after an Irish town of the same name!

<sup>162</sup>A botanist named Stephen Hales of Corpus Christi College and a Dr. Cumberland, later Bishop of Peterborough, both invented orrery-like machines while at Cambridge which predate both Graham and Rowley's work. Hales' machine was largely ignored and Cumberland's was destroyed by his grandchildren: R.T. Gunther, *Early Science at Cambridge* (Oxford: Clarendon Press, 1937), pp. 159-60.

<sup>163</sup>Graham (1673-1751) was renowned for constructing the great mural quadrant at Greenwich for Edmund Halley; *DNB*, viii, 314-15; *Gentleman's Magazine*, xx (1751), 523-24.

framework, and then incorporated into an ebony cabinet.<sup>164</sup> Graham's basic design became standard, and although variations and copies appeared, later models differed mainly in their proportions alone. Graham supposedly honoured his enlightened sponsor by naming the original device the orrery, and it and a later model constructed by Thomas Wright are among the Christ Church collection.<sup>165</sup>

Yet, despite this tradition, Graham was not alone in developing the orrery, nor should he bear sole recognition for its widespread popularity. There exists absolutely no solid evidence confirming any links between Orrery and Graham, and there is also some uncertainty as to the date of the appearance of the first instrument.<sup>166</sup> What is usually considered the 'original' orrery bears a brass plaque with an inscription attributing its construction to Graham and another man named Tompion about whom little is known, but adds that it was 'improved by Rowley.' This was John Rowley, the same man who is credited with crafting many of the precision instruments which can be positively linked with Orrery. In some ways Rowley's role is more significant than Graham's. In 1723 Rowley bragged of his own invention of a machine 'to explain the Motions of the Heavenly Bodys' which was 'esteem'd and valued by the Curious'.<sup>167</sup> Apparently Graham was wrongly, and perhaps accidentally, denied credit for the device's invention because Rowley rather unscrupulously copied, modified and improved Graham's work and ideas. Sometime before 1715 the latter had assembled an orrery-like device which was to be sent to Prince Eugene of Savoy, possibly ordered during the Imperial military commander's visit to England in 1712. This device was almost certainly the first, original 'orrery' of note, dating from a period prior to that when the object was thusly referred. Rowley may have been serving as Graham's associate, and apparently gained access to this model, copied it after prolonged study, and incorporated some of his own modifications.<sup>168</sup>

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<sup>164</sup>For the workings and applications of an orrery see Joseph Harris, *The Description and Use of the Globes, and the Orrery*, 2nd ed. (London: printed for Thomas Wright, mathematical instrument-maker; and Richard Cushee, globe-maker, 1732), pp. 152-60. This work ran into excess of ten editions; cf. David Jennings, *An Introduction to the Use of the Globes, and the Orrery: with the Application of Astronomy to Chronology...* (London: for J. Nourse, J. Oswald, & J. Buckland, 1747).

<sup>165</sup>Gunther, *Early Science*, i, 173, 382.

<sup>166</sup>It may have appeared between 1705 and 1710, rather than earlier: Gunther, *Early Science*, ii, 268.

<sup>167</sup>Herts. RO, Panshanger MS D/EP, F123, ff. 50-51; BL, Add. MS 3342, Minutes of the Royal Society, 1699-1712, f. 109, shows how Rowley, who was also patronised by Prince George of Denmark, was ordered by the Council of the Royal Society on 12 June 1712 to 'make his report of the number & condition of the instruments at the Observatory in Greenwich'. A warrant of 4 Aug. 1715, O.S., made Rowley 'Master of Mechanics' to George I and was to provide him with an 'Allowance of £100 p.a.'; by 1723 the amount was increased to £150 p.a.: CUL, Ch (H) MS, P80/21.

<sup>168</sup>Gunther, *Early Science*, ii, 267-68; Budgell, pp. 236-37. Noble, ii, 54, states that

Whether this access was with Graham's knowledge is unclear. But this modified, altered version of the device was the one which became forever after identified with Charles, 4th Earl of Orrery, and it must have appeared around 1713. An essay that appeared in that same year celebrating the orrery's merits and usefulness also recognised Rowley as its inventor and praised Orrery 'for whose Use, and by whose Generosity and Encouragement he began and accomplished the Undertaking.'<sup>169</sup> Thereafter, Graham's role in accounts of the creation of the instrument continues to diminish, and if Steele's accolades were not primarily responsible for the instrument's designation after the title of its inventor's patron then, at the very least, they had the effect of drawing public attention to Orrery's vital role in the device's creation and thereby closely associating him with it.

Rowley was also responsible for another famous early orrery that went on display in 1715 and was constructed for the Chinese Emperor.<sup>170</sup> Rowley's original orrery remained in the Boyle family through the nineteenth century and was exhibited in 1876 at the then South Kensington Museum.<sup>171</sup> When this orrery was put up for sale in the 1970s, the origins of it and other orreries were further confused. A brief history of the device published when Rowley's original was auctioned off erroneously stated that Steele had suggested it be named after John, Earl of Orrery.<sup>172</sup> This would have been chronologically impossible, since John was then only six years old and would not inherit the title for another 18 years. The error further implied that the machine was not known as an orrery during the 4th Earl's lifetime, which is not the case and is disproven by Steele's essay referred to above. Whatever the result of past errors of attribution for the device's invention, the orrery remained a popular object of amusement for wealthy gentlemen until the 1800s. Steele thought it was so important and revolutionary that he predicted persons of quality would feel that owning one

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Rowley nearly went mad in his efforts to perfect the orrery.

<sup>169</sup>Rae Blanchard, ed., *The Englishman: A Political Journal of Richard Steele* (Oxford: Clarendon Press, 1955), xii, 29 Oct. 1713, pp. 46-48.

<sup>170</sup>Witnesses remarked that it contained over 80 working gears or 'wheels'; for a detailed description of this orrery presented as a gift by members of the East India Company in 1715 see William Matthews, trans. and ed., *The Diary of Dudley Ryder, 1715-1716* (London: Methuen & Co., 1939), pp. 139-40.

<sup>171</sup>Gunther, *Early Science*, ii, 269; *Sotheby's Sale Catalogue*, 24 June 1974. It was then offered for sale and purchased by the National Science Museum, where it remains today.

<sup>172</sup>This mistake is based upon an inscribed plaque mounted on Rowley's original (but evidently added at a later date) which reads: 'orrery invented by Graham 1700 improved by Rowley and presented by him to John Earl of Orrery, after whom it was named at the suggestion of Richard Steele'.

was as essential as possessing a clock.<sup>173</sup> One eighteenth-century writer described it as the most 'universally well received' machine ever invented,<sup>174</sup> and it became so closely associated with mechanics that it was adopted as the tradesmen's symbol for mathematical instrument makers.

## VI

What is known of Orrery's scientific instruments and his library could be reasoned as ample proof that his scientific interests were genuine. If so, these interests would have been stimulated by the company he kept in the years following Queen Anne's accession by his election in April 1706 as a fellow of the Royal Society, which his great-uncle had helped found decades earlier.<sup>175</sup> A good many of Orrery's friends including Byrd, Anthony Hammond, and Samuel Garth were also members and fellows. William Byrd has been classified as 'very active' in the five years following his election as fellow in 1696.<sup>176</sup> Nevertheless, as with the actual extent to which he used his scientific instruments, and perhaps even more so, the question of Orrery's actual participation in the Royal Society's meetings remains extremely ambiguous. He is found on annual lists of fellows up until the year of his death,<sup>177</sup> yet, there are no contributions from him contained within the *Philosophical Transactions* in the year of his election, nor is Orrery mentioned in the secretary's correspondence for 1706.<sup>178</sup>

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<sup>173</sup>*The Englishman*, xii, 48.

<sup>174</sup>Thompson, *Description of the Orrery*, pp. 3-4.

<sup>175</sup>*The Record of the Royal Society of London*, 4th ed., (London: Morrison & Gibb, 1940), App. v, 390; *The Signatures in the First Journal Book and the Charter Book of the Royal Society...and Facsimiles of Signatures from Patrons and fellows 1666 to the Present Time*, 2nd ed. (London: for the Royal Society at Oxford University Press, 1936), p. 13.

<sup>176</sup>A Council member from 1698-1703, Byrd was active in the intermittent periods he spent in London. On 20 July 1697 he presented a live rattlesnake brought from Virginia which had lain in a box without food for seven months, as well as a 'very Strange creature' he called an 'opassum': BL, Add. MS 3341, Minutes of Royal Society, 1696-97, (kept by Hans Sloane), f. 54; cf. BL, Add. MS 3342, Minutes of Royal Society, 1699-1712, f. 14; BL, Add. MS 4040, ff. 151-52; BL, Add. MS 4041, f. 202; BL, Add. MS 4042, f. 143; and Royal Society, MS Journal Book (Copy) 1696-1702, pp. 234, 244, 285; *idem*, 11 June 1714-1720, p. 266; see also Maude H. Woodfin, 'William Byrd and the Royal Society', *Virginia Magazine of History and Biography*, xl (1932), 23-32, 111-23; Davis, *Intellectual Life in the Colonial South*, iii, 1368, provides an overview of Byrd's intellectual endeavours.

<sup>177</sup>See the lists (published separately): [Royal Society], *A List of the Royal Society* (London: n.p., 1715-26); also *A List of the Royal Society* (London: n.p., 1727); *A List of the Royal Society* (London: Tho. James, 1706); *A List of the Royal Society* (London: Tho. James, 1708); *A List of the Royal Society* (London: E. James, 1711-12); *A List of the Royal Society* (London: D. Leach, 1713); *A List of the Royal Society* (London: D. Leach, 1714).

<sup>178</sup>For the latter see BL, Add. MS 4040; also cf. *Philosophical Transactions* (London: B. Walford, 1708; Rpt. New York: Kraus Reprint Ltd., 1968), xxv; *Philosophical Transactions, Giving Some Account of the Present Undertakings, Studies and Labours of the Ingenious in...the World*

Likewise, the manuscript minutes of the Royal Society's meetings during a six-year period following his election and during the years 1714-1718 do not contain a single reference to him.<sup>179</sup> Such a complete absence of references implies that, despite all the circumstantial evidence, Orrery's scientific interests were nurtured largely in the privacy of his enormous library and among a small intimate circle of friends.

This conclusion is supported by evidence provided from an analysis of the historical background of the Royal Society at the turn of the eighteenth century. The 1690s were a period of extremely poor finances for the Society and a resulting increase in recruiting efforts produced a concomitant decrease in the standards for new members. The subsequent period from 1703-1727 saw the Society guided by its new President, Isaac Newton, who undertook reforms which included the purging of members who were dilatory in payment of their membership fees. Despite these efforts, the decline in the Society's reputation was critical.<sup>180</sup> The author of a recent detailed study of the Society's fellows prior to 1700 has cited evidence showing that by 1710 the Royal Society was mocked and described as a 'Subject of Jest'. The study concluded that fellowship alone is not a reliable determinant of participation because fellows were sometime elected solely because of a kinsman's membership; relation to Robert Boyle is used as a prime example.<sup>181</sup> Many other elected fellows were never admitted to the Society.<sup>182</sup> Perhaps the most telling piece of evidence about Orrery's involvement and participation in the Royal Society can be found in the annual printed lists of fellows. In the British Library's copy of the list for 1708, two years after his election, Orrery's is among a number of names annotated as having paid only their admission fee.<sup>183</sup>

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(London: for B. Walford, Printer to Royal Society, 1708), xxv, (1706-07); Henry Jones, comp., *The Philosophical Transactions (From the Year 1700 to the Year 1720)* (5 vols., London: G. Strahan, *et al.*, 1721).

<sup>179</sup>BL, Add. MS 3342. The Minutes of the Royal Society, 1699-1712, *passim*; Royal Society, MS Journal Book (Copy), 1 Oct. 1702 to 11 June 1714; *idem*, MS Journal Book, (Copy), 11 June 1714-1720.

<sup>180</sup>BL, Add. MS 3342, f. 27.

<sup>181</sup>Michael Hunter, *The Royal Society and its Fellows, 1660-1700: The Morphology of an Early Scientific Institution* (Chalfont St. Giles: British Society for the History of Science, 1982), pp. 11, 44-49, 251.

<sup>182</sup>Orrery's own uncle Lord Dorset is but one of many examples.

<sup>183</sup>[Royal Society], *A List of the Royal Society. A list of the present council, eleven of which are to be continued till St. Andrews Day, 1709* (London: Tho. James, 1708). The list places Orrery with a diverse group of 42 other negligent fellows, including noblemen such as the Duke of Montrose, the Earl of Sunderland, Lords Halifax and Somers, as well as Anthony Hammond, and Ralph Thoresby, who was later quite active in the Society. *A List of the Royal Society* (London: n.p., 1727), has similar annotations with red letters beside nearly every member's name as either 's', 'f', or 'a', but there is no explanation as to their meaning. Byrd and Orrery are both listed among the last category, possibly denoting them as absentee members.

At the same time, not unlike problems in estimating an MP's attendance and impact upon proceedings in parliament, simple attendance is far more difficult to verify than participation in meetings, and, with what is known of Orrery's aversion to oratory and his reticence, caution must be advised. Notwithstanding these caveats, the evidence must be classified as insufficient for definitively determining the level of Orrery's participation and the sincerity of his attitudes toward science. Taken on the surface, however, it virtually substantiates that his admission was little more than an honorary gesture. Reasons for his reluctance to participate more actively in the Royal Society are even more mysterious. It is worth speculating whether a link may have existed between his reluctance and the antiscientism inherent in the intellectual foundations of the pro-Ancients' ideology. Men such as Temple and Swift reflected a High-Tory, Anglican disdain for modern science which was complimentary with a defence of the Ancients. With Bentley's comrade Sir William Wotton serving as a leading spokesman for the Royal Society during the period, it would not prove overly surprising for the defender of Phalaris to refrain from any close associations with the Society.<sup>184</sup> Such a conclusion is further supported when Orrery's lifelong association with the Christ Church group is taken into account. He is known to have maintained links with his old collegians well into the 1720s, and in the previous decade was recorded as sponsoring a lavish annual dinner 'every winter' for the Christ Church group, one of which was attended by Swift in 1712.<sup>185</sup> Regardless of whether or not Orrery and Bentley were indeed reconciled at some point in the 1710s or 1720s,<sup>186</sup> it remains puzzling why a nobleman with one of the most valuable scientific libraries in England and an enormous collection of scientific instruments would not partake of the scientific enquiry and fellowship offered by an institution founded by his very own illustrious uncle. As in his impact upon Augustan literature, the answer may simply be that Orrery contented himself with contributions of a more subtle, indirect nature in the form of patronage of men such as Rowley.

## VII

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<sup>184</sup>Wotton was one of the chief targets of Swift's *Tale of a Tub*: see Richard G. Olson, 'Tory-High Church Opposition to Science and Scientism in the Eighteenth Century: The Works of John Arbuthnot, Jonathan Swift, and Samuel Johnson,' in John S. Burke, ed., *The Uses of Science in the Age of Newton* (Berkeley: University of California Press, 1983), pp. 171-204.

<sup>185</sup>*Journal to Stella*, ii, 514, recorded that in early March 1712 Swift was 'engaged to Lord Orrery with some other Christ Church men'; cf. *Memoirs of Atterbury*, i, 168-69.

<sup>186</sup>See above, Ch. 1, p. 36.

In the summer of 1703 a completely unanticipated event resulted in profound consequences for the then Right Honourable Charles Boyle's future, an event without which much of his literary patronage and scientific indulgences would have proved impossible. This event was the unexpected death of his brother Lionel, 3rd Earl of Orrery. In February 1692 Lionel had married his first cousin Mary Sackville, the natural daughter of his uncle Lord Dorset, and the latter's mistress, a Mrs. Philippa Waldegrave. The marriage was extremely unpopular with Lady Orrery and was kept secret for some time.<sup>187</sup> In 1700, after nearly a decade of marriage, no children born to the couple had survived infancy.<sup>188</sup> In August 1703 reports began to surface of Lionel's declining health. The exact nature of the relationship between the 3rd Earl and his brother is unclear. Since they had been reared separately all the signs indicate that little mutual affection existed between the two siblings. No extant correspondence between them has been located and other than their candidacy for the Huntingdon seat,<sup>189</sup> and Lionel's assumed attendance at a performance of *Altemira* in 1701,<sup>190</sup> there are few reports of their contact.

There is little evidence to contradict the notion that a jealous Charles actually may have intentionally wished ill of his brother. A disputed inheritance in the late 1690s also may have engendered bitterness between them. William Byrd's letters reveal much about his close friend's sentiments towards his brother. Byrd could not fail to notice that his companion almost gleefully anticipated Lionel's passing. By early August Byrd reported that his friend had begun putting on the 'ayr' of becoming an earl prematurely. In addition, his vanity was clearly palpable, for Byrd noted that when he spoke 'upon that subject [Lionel's illness], he shows almost as much satisfaction as he did at seeing his own play.' The new earl must have welcomed the arrival of news on 23 August that Lionel had succumbed to assorted 'mortal symptomes' which had plagued him for weeks.<sup>191</sup> Lionel's exact cause of death

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<sup>187</sup>Upon learning of it witnesses reported she flew into 'the greatest fury imaginable and rails heavily at her brother for having a hand in it': see BL, Althorp MS C-17, n.f., letter dated 13 Feb. 1692.

<sup>188</sup>Harris, *Dorset*, pp. 161-62.

<sup>189</sup>See above, Ch. 2, p. 59.

<sup>190</sup>See above, p. 472.

<sup>191</sup>*Byrd Corr.*, i, 230, 234, 25 Aug. 1703; also see Boyer, *Annals*, ii, App. vi, p. 22. BL, Add. MS 5697, f. 638, is the Withyham, Sussex, parish register with the dates of Lionel's death and burial; also Luttrell, v, 332; cf. *Daily Courant*, 28 August 1703, which dates Lionel's death as 26 August.



is uncertain, yet whatever its cause,<sup>192</sup> the health of the deceased nobleman's brother, like his financial posture, underwent instant rejuvenation. Byrd's comments illustrate the effects of the newfound wealth and status: 'Lord Orrery dy'd 2 days ago and his brother succeeded to that long expected honour. The very hopes of it sweeten'd his bloud extreamly, so that it has been observ'd, that his health has grown better in proportion to his brother's growing worse.'<sup>193</sup> Lionel's death without issue had a considerable impact upon his brother's life, and raises several questions about the nature of the 4th Earl's inheritance and its effects upon his political and public career. From a political perspective, Orrery's status remained relatively unchanged. He was now entitled to sit in the Irish House of Lords in Dublin, but existing evidence suggests that unlike Lionel,<sup>194</sup> he did not exercise this 'privilege' with any degree of regularity. Furthermore, despite his Irish peerage, Orrery remained eligible to sit in the House of Commons at Westminster and continued to do so for Huntingdon borough until March 1705.<sup>195</sup>

Along with Orrery's title came the inheritance of thousands of acres in property, and the issue of money, property and other rights which were to accrue to the holder of the earldom seem to have generated animosity between Lionel and his brother Charles even prior to the former's death. As explained briefly in an earlier chapter,<sup>196</sup> some of the bitterness between Lady Mary Orrery and her husband stemmed from her perception that Charles and his sister were being cheated out of their equitable share of the family's income. Lady Orrery's letters are particularly antagonistic regarding the childhood settlement for her cherished son Charles, which was ultimately resolved as his jointure of £200 per year, which he was not to receive until he reached age 20.<sup>197</sup> This settlement and the fact that Charles was largely raised at Knole by his mother and his grandmother, Lady Dorset, rendered him in possession of an apparently adequate, if not overly extravagant, maintenance, but was also used as justification for him being virtually ignored in his receipt of any additional share of his brother's revenues in the 1690s.<sup>198</sup> A 1699 Treasury warrant may illuminate additional

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<sup>192</sup>Budgell, p. 155, bluntly characterises Lionel as 'a pleasant companion [who] drank hard, thus some minor ailment may have been aggravated by excessive drink.

<sup>193</sup>Byrd *Corr.*, i, 234.

<sup>194</sup>BL, Add. MS 29581, f. 210v; BL, Add. MS 29582, ff. 24, 218, 253v, 274; *Protests of the House of Lords of Ireland*, p. 29.

<sup>195</sup>See above, Ch. 2, p. 66.

<sup>196</sup>See above Ch. 1, pp. 10-12.

<sup>197</sup>OPP, MS 13222 (Bundle 6); also see above, pp. 454-55.

<sup>198</sup>In the 1680s the senior dowager Countess of Orrery wrote to Lord Burlington: 'I was

circumstances contributing to a monetary dispute between the two siblings. The order concerned £8,000 which had been collected from the estates of Irish Roman Catholics pursuant to a patent of 12 January 1698.<sup>199</sup> The money was to be paid to Lionel, but the warrant issued the following year postponed all payments, directly attributing the delay to claims asserted by the then Charles Boyle of his entitlement to a 'moiety' (amount unspecified) of the money in question. How the matter was ultimately resolved is unclear. There are no further references to the claim in the *Calendar of Treasury Books* for subsequent years, save possibly the mention of a payment made to a unnamed Mr. Boyle in 1701.<sup>200</sup>

Undoubtedly the most significant effect of Orrery's peerage was a considerable accumulation of property, yet this windfall was not without its problems. In their constant quest for income, Orrery and eighteenth-century absentee Irish landlords faced exceptional challenges. Collecting rents was an onerous task in the best conditions and was compounded in Ireland by geographical separation from one's estates. Economic hardships, fundamental religious, cultural, and to a lesser extent, social differences often magnified a sense of alienation between tenants and landlords, the latter often forced to rely upon Irish collection agents. Orrery learned all too well that these men were usually venal and dishonest, and tended to exacerbate already strained relationships,<sup>201</sup> and allegations of Lionel's mismanagement and his own manipulation at the hands of such an agent produces lingering ambiguities regarding the size and condition of the estates which were inherited by his brother Charles in 1703.<sup>202</sup> A letter written just before Lionel's death implies that an

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never against Charles having what might be thought fitt to allow him out of his brother's small revenue but I did still offer it Lady Dorset keep him upon his charge I would do the like to the daughters upon mine; yet whenever you please that Charles have an allowance I hope you will take care and be settled in such a way as neither you nor I may be called upon for the payment of it': OPP, MS 13222, Bundle 5. Lady Orrery to 'Dear brother', n.d. [1686?].

<sup>199</sup>The probable origins of the claim stem from the overdue grant Charles II had promised to award the 1st Earl of Orrery as compensation for the abolition of several of the latter's sinecures; see Ch. 1, p. 4, n. 16.

<sup>200</sup>CTB, xv, 213. Royal Warrant from the Lords of the Treasury to the Lords Justices of Ireland, 23 Nov. 1699; *ibid.*, xvi, 415, contains a list of payments to a number of individuals 5 Dec. 1701. A 'Mr. Boyle' received £500 as the balance of a sum of £1314..

<sup>201</sup>For discussions of the problems of absentee landlords see W.E.H. Lecky, *A History of Ireland in the Eighteenth Century* (Chicago: University Press, 1972), pp. 64-67, 115-16; and the more recent studies in A.P.W. Malcomson, 'Absenteeism in Eighteenth Century Ireland', *Irish Economic and Social History*, i (1974), 15-35; and Dickson, 'Economic History of the Cork region', i, *passim*.

<sup>202</sup>PRO, Prob. 6/86/220 (Prerogative Court of Canterbury Administrations, 1710), is the administration (in Latin) of the will of Lady Mary, Countess of Orrery, to her son Charles, 10 Nov. 1710; Lionel's complete will was evidently filed in Ireland. His administration, PRO, Prob. 11/472, 172 Degg, (P.C.C. Administrations, 1703), dated 17 May 1699, and proven 7 Oct. 1703, sheds little light on the composition of the estates which his brother inherited.

unscrupulous agent embezzled rents and that his neglect 'rendered him indigent',<sup>203</sup> a situation which had been partly confirmed by Lionel's earlier sale of some of his estates to pay off debts. On 12 February 1702 a bill was passed in the Lords enabling him to sell portions of his estate. After several readings, a referral to a committee, and a minor amendment, it passed in the Commons on 2 March.<sup>204</sup> Lionel's financial straits were at least partially attributable to mismanagement and the destruction of Charleville House; the accompanying removal of the direct presence of one of County Cork's principal absentee landlords only served to encourage his inattention. His total debts and the acreage which he was forced to sell in order to discharge them may be indeterminable,<sup>205</sup> but by 1703 these debts were apparently substantial and fairly pressing; less than a month after Lionel's passing, his coach and personal effects, including furnishings, china and books, were all sold by public auction.<sup>206</sup>

As to the size of the Irish portions of the Orrery estates, several near contemporary sources provide an approximation of Orrery's newly-acquired holdings. In 1750 Orrery and Kilmore barony contained 11 parishes, including those of Charleville and Liscarrol. Total acreage was figured at around 40,000 acres,<sup>207</sup> which would convert to substantially more than the equivalent English acres yet was valued at considerably less.<sup>208</sup> This section of Ireland generally enjoyed a fairly mild climate and was utilised almost exclusively for pasture. Small, unnavigable rivers ran through reportedly fertile valleys, yet poor roads and concomitant exorbitant costs for transportation posed severe obstacles for the cultivation and sale of grain.<sup>209</sup> Thus, Orrery's estates were primarily used for grazing and commonly

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<sup>203</sup>See the Solicitor General of Ireland's letter, dated 13 Jan. 1703, in Lady Margaret Maria Verney, ed., *Verney Letters of the Eighteenth Century From the Manuscripts at Clayton* (2 vols., London: Ernest Benn, 1930), ii, 129.

<sup>204</sup>Luttrell, v, 134; *CJ*, xiii, 741-42, 747, 769-70; 774; *LJ*, xvii, 23, 31-32, 53, 62.

<sup>205</sup>The only extant business papers belonging to Lionel appear to consist solely of some nearly illegible lease books for the early 1690's, found in OPH, MS Eng. 218.24F.

<sup>206</sup>*Post-Man and Historical Account*, 16-18 Sept. 1703, and 18-21 Sept. 1703.

<sup>207</sup>Smith, *History of Cork*, i, 310-15, and especially p. 311, note e; also see above, Ch. 1, p. 4. For an excellent period map of County Cork see the frontispiece of vol. i of Smith's work. An earlier description of the Orrery estates is found in S.P. Johnston, 'On a Manuscript Description of the City and County of Cork, circa 1685, Written by Sir Richard Cox', *JRSAI*, xxxii (1902), 355-56.

<sup>208</sup>Irish acreage measurements varied in the seventeenth and eighteenth centuries, and differed greatly from those in usage in England and Wales. Ratios in use in Cork in the middle and late 1650s equalled roughly one Irish acre for every three English; see MacCarthy-Murrough (*op. cit.* Ch. 1, p. 2, n. 5), App., pp. 287-89; but *cf.* Karl S. Bottigheimer, 'English Money and Irish Land: the Adventurers in the Cromwellian Settlement of Ireland', *Journal of British Studies*, vii (1967), 12, who calculates that 121 Irish acres equalled roughly 196 English.

<sup>209</sup>Smith, *History of Cork*, i, 312-20; Luckombe, p. 183; and Ferrar, p. 44.

thought to contain some of the best pasture in Munster.

A survey of County Cork dating from the 1730s calculated the fecundity of Orrery and Kilmore barony and concluded that 3,280 of a total of 36,756 acres, or nearly 10%, was considered unprofitable.<sup>210</sup> Neither this survey nor the 1750 calculation included the manor and town of Askeaton, which the 5th Earl was forced to sell in the 1730s,<sup>211</sup> but which remained in the possession of the 4th Earl throughout his life and therefore considerably augmented his Irish estates over and above the earlier acreage figures. In the 1720s and 1730s the area reflected a general trend throughout Cork. Tillage generally declined, and agriculture shifted instead towards livestock production, itself beginning to favour sheep over cattle.<sup>212</sup> As for the land's inhabitants, contemporary writers confessed the region's residents were victims of extreme penury, forced to live in 'the vilest cribs imaginable'.<sup>213</sup> Some of Orrery's tenants were what are classified as 'gneevers', tenants who held a gneeve or ploughland which consisted of anywhere from 100 to 500 acres. Despite the size of these types of holdings, gneevers were little more than peasant farmers who subsisted on a very poor diet. Generally Roman Catholics, they often paid their rents with a partial or total contribution in the form of dairy products, such as butter.<sup>214</sup>

Orrery's is a typical case of a landlord whose attention was diverted by his public career and whose estates' management was left over to corrupt stewards and suffered commensurately. In this regard Orrery appears to some degree to have been sustaining a family tradition of inattention that began with his father. The 4th Earl of Orrery, however, singularly distinguished himself by either falling victim to remarkable misfortune or to excessive carelessness in his selection of agents to supervise his Irish estates. Fortunately, this aspect of Orrery's life can be traced in detail, thanks to the survival of eight folio volumes of manuscript business letters belonging to the 4th and 5th earls. Two agents served the 4th Earl almost his entire life. Both were extraordinarily unprincipled and downright rapacious in their embezzlement. The first was a Roman Catholic named John Honohane. While Orrery's agent, Honohane and his wife were tenants of Broghill manor and

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<sup>210</sup>See Perceval's 'Survey of the County of Cork' in BL, Add. MS 47048, ff. 43, 132.

<sup>211</sup>See below, pp. 496-97.

<sup>212</sup>Dickson, 'Economic History of the Cork region', ii, 316-24.

<sup>213</sup>Luckombe, p. 182. For similar poverty throughout Ireland see Lecky, pp. 66-69 and *passim*.

<sup>214</sup>Gneevers and the social levels of other Cork tenants are analysed in Dickson, 'Economic History of the Cork region', i, 201-03.

resided in the manor's castle.<sup>215</sup> Honohane may have been Lionel's agent, as he appears to have been serving in that capacity at the time the 4th Earl inherited the title. If so, Honohane was almost certainly the agent implicated above.<sup>216</sup> After his death, his widow and Orrery were embroiled in a bitter legal dispute for over a decade concerning Honohane's practice of fraudulently setting leases.<sup>217</sup>

Even more notorious was Brettridge Badham of Ballyheene. Also Irish, Badham began serving as Orrery's agent around 1712. Initially highly esteemed by Orrery,<sup>218</sup> Badham also undertook business relating to electoral patronage at Charleville and in Cork and was sent to Ireland in the spring of 1712 to inform Perceval of 'engagements' Orrery had 'taken about the next Election at Charleville'.<sup>219</sup> With Orrery's patronage Badham himself was elected MP for Charleville from 1713-1714,<sup>220</sup> but by 1720 Orrery was beginning to receive numerous reports of his fraudulent conduct.<sup>221</sup> One accused Badham of 'making bargains, setting leases and giving renewals of lives' of Orrery's Irish holdings.<sup>222</sup> Despite the warnings, Orrery's attention was apparently dominated by his opposition activities and--after 1722--his guidance of English Jacobite affairs, and he remained virtually powerless to rectify the situation. In 1730 Orrery confessed as much, remarking that, although he was exasperated with Badham's conduct, necessity forced him to 'try by gentle means to prevail upon him to own his misbehaviour and to try to make any reasonable satisfactions.'<sup>223</sup> Badham's proficiency at swindling was well known. In 1732, Swift described him as 'the chiefest rogue of his

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<sup>215</sup>It is unclear precisely what condition the castle was in, but it appears to have been rather dilapidated by the 1710s: James Grove White, 'Historical and Topographical Notes, etc., on Buttevant, Doneraile, Mallow, and Places in their Vicinity', *JCHAS*, 2nd Ser., xv (1909), 319.

<sup>216</sup>See above, p. 492, n. 203.

<sup>217</sup>Orrery's dealings with Honohane are the subject of OPH, MS Eng. 218.25F, *passim*; cf. comments on them in Dickson, 'Economic History of the Cork region', i, 117, and 227, n. 43.

<sup>218</sup>In 1715 Orrery vigorously supported a renewal of Badham's commission as Collector of the Revenues at Youghall, despite the fact that he had been forced to promise 'good behaviour'; BL, Add. MS 61652, ff. 242, 255.

<sup>219</sup>BL, Add. MS 47026, f. 117v. Orrery to Perceval, London, 1 April 1712. There is a similar letter dated March 1714 in BL, Add. MS 47027, f. 78.

<sup>220</sup>Tenison, 'Cork MPs', i, 41.

<sup>221</sup>The earliest report seems to date from 1719: OPH, MS Eng. 218.4, i, 2.

<sup>222</sup>OPH, MS Eng. 218.4F, i, 10; *idem*, cited in Dickson, 'Economic History of the Cork region', i, 218. OPH, MS Eng. 218.4, ii, contains Orrery's Irish business letters from 1727-31 and it is filled with complaints about the abuses and disorders of his estates with which he was struggling.

<sup>223</sup>OPH, MS Eng. 218.4F, iv, 2. Orrery to Rev. William Collins, 15 Dec. 1730; *idem*, cited in Dickson, 'Economic History of the Cork region', i, 118. For attempts to get rent for Askeaton manor out of Badham in 1730 see OPH, MS Eng. 218.4, iv, 29.

calling',<sup>224</sup> and it is little wonder that the 5th Earl later cautioned a friend that, when speaking with Badham, one should pretend 'you are conversing with Satan.'<sup>225</sup> The total amount of money which Badham embezzled from the 4th Earl of Orrery is unclear, but the agent's 18-year tenure lasted until shortly before his employer's death and indirectly precipitated it. For the strain of the journey the 4th Earl undertook to Ireland to look into his affairs and discharge Badham in June 1731 took its toll upon Orrery's health undoubtedly hastened his death.<sup>226</sup> Badham, meanwhile, ultimately escaped his obligations by his acquisition of another seat in the Irish House of Commons.<sup>227</sup>

The devastating effects of the wholesale embezzlement of Honohane and Badham is manifested by the financial condition of Orrery's assets and estates at the time of his death. Rather magnanimously, his son John decided to assume his father's debts as his own and thereby inherited obligations which were calculated to exceed £20,000.<sup>228</sup> Even the usually laudatory Budgell confessed that Badham was thought to have stolen or embezzled as much as one-half of the 4th Earl's rightful income on several estates.<sup>229</sup> Almost immediately after his father's death, the 5th Earl also journeyed to Ireland and hired a new agent, bitterly observing that Badham had 'Laid waste my Patrimony'.<sup>230</sup> Although necessity forced the 5th Earl to exercise much closer personal supervision over his agents' activities, he was still driven to launch 18 separate lawsuits in an attempt to collect his due for sums dating back to the 1710s. As late as 1739 Badham and Honohane's widow still owed him nearly £3,000.<sup>231</sup> Furthermore, the 4th Earl of Orrery was apparently even manipulated by agents other than his own. He entrusted money to another Catholic agent named Andrew Crotty, sometime steward (and possible Jacobite messenger) for Orrery's kinsman, Burlington. Crotty misappropriated a sum of £300 and the 5th Earl of Orrery was unable to collect payment some 13 years after his

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<sup>224</sup>David Nichol Smith, ed., *The Letters of Jonathan Swift to Charles Ford* (Oxford: Clarendon Press, 1935). p. 144; cf. OPH, MS Eng. 218.4, iv, 91.

<sup>225</sup>OPH, MS Eng. 218.4F, v, 1. John, 5th Earl of Orrery to Mr. Goolde, Marston, 20 May 1741; *idem*, cited in Dickson, 'Economic History of the Cork region', i, 118.

<sup>226</sup>*Orrery Papers*, i, 88; OPH, MS Eng. 218.2, i, 214-15. John, Lord Boyle, to Orrery, Newberries, 17 July 1731; also see *ibid.*, 215-17. Lord Boyle to Mr. Kempe, Downing Street, 3 Aug. 1731; and above, Ch. 10, pp. 447-48.

<sup>227</sup>Tenison, 'Cork MPs', i, 41.

<sup>228</sup>*Letters from Italy*, pp. vi-viii; Dickson, 'Economic History of the Cork region', i, 83.

<sup>229</sup>Budgell, p. 249. On the same page he makes the ludicrous claim that the 4th Earl left his son and heir a 'a clear estate and £6,000 in plate.'

<sup>230</sup>*Orrery Papers*, i, 113.

<sup>231</sup>OPH, MS Eng. 218.4F, vi, [n.p.]. William Taylor to Orrery, Limerick, 22 Nov. 1739; *idem*, cited in Dickson, 'Economic History of the Cork region', i, 118.

father's death.<sup>232</sup> The latter also encountered common problems as to the cancellation of leases for failure to improve estates; his estates were reputed to possess rentals valued well under their market value and both the 4th and 5th Earls tended toward a method known as fining, or the collection of an additional sum when a lease was renewed.<sup>233</sup>

Despite depressed economic conditions and his agents' flagrant corruption, two additional conclusions can be drawn. One is that Orrery derived a fairly comfortable, if somewhat inconsistent, income which still allowed for a standard of living roughly compatible with his social status. A list published in 1729 examining the Irish nobility's wealth estimated the annual value of Orrery's estate which was spent abroad totalled around £4,000,<sup>234</sup> but accounts compiled by Honohane for the year 1706 shows his total annual rents barely exceeding £2,000,<sup>235</sup> and this sum is probably more accurate. Crippled by debt, the 5th Earl collected less than £3,000 in 1737.<sup>236</sup> Despite his agents' transgressions, Orrery exhibited some interest in maintaining and improving his Irish estates. In 1712 he petitioned the British government for £500 to be applied to the refurbishment of the nearly ruined Askeaton Castle. In return, he asked to be appointed governor and agreed to see to the castle's maintenance thereafter at his own expence.<sup>237</sup> Situated on the River Deale, Askeaton was one of Orrery's principal manors, and he also owned most of the town. He justified his request by claiming that the castle's maintenance was crucial in order to secure navigation on the Shannon and for protecting the Protestant residents of Limerick from the hostility of Irish Catholic 'reparees.'<sup>238</sup> Despite his reasons, the petition was apparently denied, and the 5th Earl was ultimately forced to sell Askeaton in its entirety in the 1730s in order to

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<sup>232</sup>OPH, MS Eng. 218.4F, iv, 98.

<sup>233</sup>OPH, MS Eng. 218.4F, ii, 2; *idem*, cited in Dickson, 'Economic History of the Cork region', i, 175-76. This method was usually used with setting the terms of long leases. Honohane apparently engaged in the same practice: see OPH, MS Eng. 218.25, *passim*. John F. Ainsworth, and Edward MacLysaght, eds., 'Surveys of Documents in Private Keeping', *Analecta Hibernica*, 2nd ser., xx (1958), 43, prints part of a 1704 lease which demonstrates that Orrery permitted the renewals of livings before Badham took over his estates.

<sup>234</sup>Thomas Prior, *A List of the Absentees of Ireland, and the Yearly Value of Their Estates and Incomes Spent Abroad* (Dublin: for R. Gunne, 1729), p. 2.

<sup>235</sup>See the list, dated 6 Aug. 1706, in OPH, MS Eng. 218.25F, no. 35.

<sup>236</sup>OPH, MS Eng. 218.4F, vii, 144.

<sup>237</sup>No doubt assisted by the allowance he would receive as governor.

<sup>238</sup>Westropp, (*op. cit.* above, Ch. 1, p. 4, n. 18), pp. 170-72, prints a portion of Orrery's 1712 petition which in 1903 was contained among the Southwell MSS, Dublin Record Office, ii, 131.

stave off creditors.<sup>239</sup>

Of all of his Irish holdings, Orrery exercised the most direct and visible influence in Charleville. Regarded as one of the most successful towns founded in southern Ireland in the post-Restoration period, its population was largely restricted to Protestants and the manufacture of linens and woollens had been greatly encouraged by the 1st Earl of Orrery.<sup>240</sup> He had also founded a school, which was important for the town's survival, but like so many other aspects of the estates he passed onto his successors, it too underwent a serious decline by the early 1700s, victimised by the ravages of the Civil Wars of the 1690s and the neglect of disinterested successive minorities and earls of Orrery.<sup>241</sup> By the late 1710s the situation had grown critical. In 1725 Orrery instructed Badham to consult with prominent local citizens about securing a schoolmaster to replace the one who had been forced to leave because he could not survive on his salary.<sup>242</sup>

Orrery was also involved in local politics in Charleville. The corporation's charter had empowered the earls of Orrery with tangible signs of influence, including the power of appointments of Recorder and Town Clerk and the assignment of their agents as seneschals in the local manorial courts.<sup>243</sup> Orrery seems to have taken special interest in elections for Charleville's two borough seats. He frequently, though not always successfully, backed candidates, and his patronage of Badham has been mentioned.<sup>244</sup> Orrery was also regarded as worthy of solicitations of support for the county seats. On several occasions longtime county MP, Perceval, sought promises of his electoral support, though Orrery's anti-Whig sentiments after 1714 apparently affected his preference for Irish parliamentary candidates.<sup>245</sup> Just as

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<sup>239</sup>Dickson, 'Economic History of the Cork region', i, 83. Badham was probably responsible for denying Orrery portions of the rents from Askeaton, and may have falsified leases there in the 1720s: OPH, MS Eng. 218.4, i, 10.

<sup>240</sup>Charleville was thought one of the five most important towns in Cork. For a discussion of its role in the Irish economy see Dickson, 'Economic History of the Cork region', i, 24; *idem*, ii, 524-27.

<sup>241</sup>As early as the 1680s the school experienced the related problems of poor subsidies and thus deficient teachers: see OPP, MS 13224, Bundle 18; *idem*, cited in Dickson, 'Economic History of the Cork region', i, 26.

<sup>242</sup>NLI, MS 4177, f. 47. Orrery to Badham, 3 April 1725; *idem*, cited in Michael Quane, 'Charleville Endowed School', *JRSAL*, lxxxviii (1958), 43. In 1705 Orrery was also making a small financial contribution to the schoolmaster's salary in Limerick: OPH, MS Eng. 218.25F, no. 35. For the Broderick family's similar neglect of the school at nearby Middleton see HMC, *Lyons Collection*, i, /1191 (unpaginated). Rev. Charles Crow, Bp. of Cloyne, to King, 18 Jan. 1706.

<sup>243</sup>Dickson, 'Economic History of the Cork region', i, 237-38.

<sup>244</sup>OPH, MS Eng. 218.4, i, 3-4.

<sup>245</sup>BL, Add. MS 47025, f. 93v. Perceval to Orrery, Cork, 4 Aug. 1708, O.S.; *cf.* BL, Add. MS 47027, f. 78. Walter Smith to Perceval, 1 March 1714, O.S.



with his estates, however, evidence suggests that Orrery's financial situation, his years abroad and his refusal to journey to Ireland combined to produce negligence of this aspect of his Irish affairs.<sup>246</sup> The earls of Orrery were also responsible for six ecclesiastical livings out of the 11 parishes within their holdings.<sup>247</sup> Perhaps reflecting the 4th Earl's religious indifference, this aspect of the stewardship of his earldom does not seem to have held great interest for him.<sup>248</sup>

When not abroad in the service of the Crown, Orrery spent most of his life in England and viewed himself first and foremost as an English nobleman rather than an Irish peer. He derived his English title from a property somewhat more prestigious than his Irish estates, the family estate of Marston, in Somerset. Upon Broghill's marriage in 1641, the 1st Earl of Cork had combined a £5,000 wedding gift with Lady Margaret's dowry and used the money to purchase Marston Bigot, a country estate near Frome, some 94 miles from London. Situated near Longleat, opposite a wide valley near the Somersetshire and Wiltshire border, the estate, which sold for £10,350 in 1641,<sup>249</sup> included a fine manor house and some 800 acres of gardens, orchards, and woodlands,<sup>250</sup> adjoining an area known as Selwood Forest.<sup>251</sup> Marston remained under Lionel's widow's control until her death in 1714. When it then reverted to the 4th Earl after being in the possession of three successive dowager widowed Countesses of Orrery, both the house and estate showed signs of nearly 30 years of neglect.

Marston House itself has an extremely interesting history. It was originally designed in the form of a seven-bayed Jacobean mansion with a forward wing at each end.<sup>252</sup> The house was

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<sup>246</sup>After initially demonstrating some interest, financial problems caused the 5th Earl to grow even less attentive. His agent advised him in 1740 that 'without much application, good words and kind promises, few people have success in elections': OPH, MS Eng. 218.4F, vii, n.p. Richard Purcell to Orrery, 27 June 1740; *idem*, cited in Dickson, 'Economic History of the Cork region', ii, 126, who herein also discusses Cork politics, and points out that by the 1770s the 7th Earl had lost control of one of the borough seats. For the 5th Earl's initial interest in the borough in 1732 see BL, Add. MS 22222, f. 150. Orrery to Strafford, 17 Feb. 1732.

<sup>247</sup>Smith, *History of Cork*, i, 311; Ferrar, p. 163.

<sup>248</sup>OPH, MS Eng. 218.4, i, 5.

<sup>249</sup>Michael McGarvie, *The Book of Marston Bigot: The Story of Marston House and the Earls of Cork and Orrery* (Buckingham: Barracuda Press, 1987); Lodge, *Peerage*, i, 198; *Complete Peerage*, iii, 422, note b.

<sup>250</sup>Lynch, *Orrery*, p. 32; J.F. Meehan, *More Famous Houses of Bath and District* (Bath: B. & J.F. Meehan, 1906), pp. 17-20, reproduces a print of the house circa 1750; for a description of eighteenth-century renovations see Lord Boyle's letter to William Cecil, 12 June 1726, in *Orrery Papers*, i, 66.

<sup>251</sup>Cork purchased the estate, which had earlier belonged to the Earl of Cornwall, from Sir John Hippisley; Lodge, *Peerage*, i, 198; William Page, ed., *The Victoria History of the Counties of England: Somerset* (4 vols., London: Constable & Co., 1911), ii, 558. Morrice, App. iii, 59-60, prints a copy of the charter concerning the Marston estate.

<sup>252</sup>Speculation about the architect's identity has produced no conclusive answers, but in

greatly altered by the 4th Earl's descendants in the 1700s and at several stages during the nineteenth century,<sup>253</sup> thereby transforming it beyond recognition of its original appearance. Upon the 10th Earl's succession in 1905, the house and its contents were sold and largely dispersed, ushering in a long period of decline. In World War II the house provided sanctuary to veterans of Dunkirk. By the mid-1970s, architectural historians (ignorant of its Jacobean core) had written the house off as unworthy of preservation and the local Council began consideration of approval for its demolition. Only the efforts of a local historian, which led to the subsequent purchase of the house by a Somerset businessman who embarked on a massive restoration in excess of £3 million in cost and converted it into his company headquarters, saved the house from oblivion.<sup>254</sup>

In 1728, upon the marriage of the 4th Earl's son John, Lord Boyle, Orrery valued Marston manor as worth approximately £550 p.a. As with his Irish estates, however, he apparently eschewed his responsibilities and his estates and incomes suffered commensurably. In 1745 the 5th Earl revised and annotated a detailed survey of Marston undertaken after his father assumed control of the estate. The 5th Earl noted how his father had accepted fines on various occasions, thereby considerably reducing the estate's value. Figures representing Marston's rentals in the marriage settlement were grossly inaccurate; rather, the 5th Earl later described them as more 'imaginary' than realistic, complaining the survey seemed 'undigested, and only set down at random.'<sup>255</sup> As with his inattention to the Marston estate, there is no evidence that Orrery exerted any political influence in local elections in Somerset or the areas surrounding Marston, despite strong Jacobite and Tory sympathies in Taunton and Bridgewater.<sup>256</sup>

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its original form the house bore some resemblance to Ham House, the Earl of Lauderdale's estate near London; R.W. Dunning, *Some Somerset Country Houses* (Wimborne: Dovecote Press, 1990), p. 92.

<sup>253</sup>For a mid-eighteenth-century account of the estate see Richard Pococke, *The Travels through England of Dr. Richard Pococke, 1750-51*, J.J. Cartwright, ed. (2 vols., Westminster: Camden Society, 1888-89), ii, 40-41.

<sup>254</sup>In November 1991 the saviour of the house, Somerset historian Michael McGarvie, was kind enough to give the present author a personal tour. In May 1992 the present author attended a luncheon commemorating the completion of the restoration and met the 13th Earl of Cork and Orrery.

<sup>255</sup>After bringing £275 in 1712-13, Marston farm was let by the 4th Earl in 1728 for £134. The surveyor considered £245 per annum an optimistic valuation, and attributed many of the estate's problems to fining: see the manuscript documents in the possession of Mr. Robert Bonham Christie, Tuckmarsh Farm, Marston Bigot, Frome, Somerset, entitled 'A Survey of Marston Manor by Francis Jesse', p. 13; *idem*, 'Leases, Letts, and accounts passed by Charles Earl of Orrery from his First Possession of his estate of Marston in Somersetshire on Lady day 1714 to his death 28 August 1731', p. 1.

<sup>256</sup>J. Triffitt, 'Politics and the Urban Community: Parliamentary Boroughs in the South West of England, 1710-1730' (unpublished D.Phil., Oxford University, 1985), pp. 268-79, 305.

If lax in supervision of the estate's lands, following the Hanoverian Succession, and particularly after 1716, the 4th Earl displayed greater attention and interest in the maintenance of the house and its grounds. Orrery used Marston as his summer retreat and seems to have made at least an annual sojourn there. In addition to his added supervision of the estate, the 4th Earl undertook internal and structural improvements to Marston House. Details of his alterations and the renovations undertaken by his son, who was even more fond of the house than his father, can be gleaned from some of Lord Boyle's letters. Prior to the summer of 1726 Lord Boyle reported his father had added a wing to the house which served to 'complete the Fabrick', thereby enlarging the interior and rendering its exterior more uniform.<sup>257</sup> Lord Boyle's comment has been variously interpreted, but since no early eighteenth-century plans or engravings of the house exist it is difficult to determine its meaning.<sup>258</sup> Though nowhere nearly as wealthy as many contemporaries, Orrery also lavished attention on the grounds of the house, employing the renowned gardener Stephen Switzer. Switzer (1682-1745), who also worked at Blenheim, was an innovative landscape gardener who popularised a natural style that contrasted the more formalised Continental fashion.<sup>259</sup> Orrery's connections with Switzer date back to at least the early 1720s, when he received fulsome praise in a work Switzer published in 1724.<sup>260</sup> Switzer undertook extensive work on a formal garden at Marston sometime between 1715 and 1720, as well as a unique smaller kitchen garden which contained vegetables and fruit trees which was designed some years later.<sup>261</sup> Thus Orrery was not only a literary and scientific patron, but he also had enlightened and progressive tastes in landscape garden design, in spite of the limited scale of his finances

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<sup>257</sup>*Orrery Papers*, i, 66. Lord Boyle to William Cecil, Marston, 12 June 1726.

<sup>258</sup>The only known early eighteenth-century illustration of the house dates from 1739 from: *Vitruvius Britannicus*, iv, 69-70; *idem*, reproduced in Meehan, p. 19.

<sup>259</sup>W.A. Brogden, 'Stephen Switzer and Garden Design in Britain in the Early Eighteenth Century' (unpublished Ph.D., University of Edinburgh, 1982); David Green, *Gardener to Queen Anne: Henry Wise and the Formal Garden* (London: Oxford University Press, 1956), p. 5.

<sup>260</sup>In the dedication of *An Introduction to a General System of Hydrostaticks and Hydraulicks, Philosophical and Practical...* (2 vols., London: for T. Astley, S. Austen; and L. Gilliver, 1729), Switzer commented how in his work he had utilised the library of his 'very worthy and learned friend and master the Earl of Orrery'; *cf. idem*, cited in Michael McGarvie, *Gardening at Marston House, 1660-1905* (Frome: Society for Local Study, 1987), p. 8; Switzer's other works included: *The Nobleman, Gentleman, and Gardener's Recreation: or, an Introduction to Gardening, Planting, Agriculture, and the other Business and Pleasures of a Country Life* (London: for B. Barker, and C. King, 1715); *The Practical Fruit-gardener; Being the Best and Newest Method of Raising, Planting, and Pruning all Sorts of Fruit-trees, ... Adorn'd with Proper Plans* (London: for Tho. Woodward, 1724).

<sup>261</sup>Royal Bank of Scotland Archives, Childs Bank Account Ledgers, MS CH/14/224. For Switzer's work at Marston see McGarvie, *Gardening*, p. 13, and *passim*; Brogden, pp. 191-92.

and the somewhat restricted confines of his estate at Marston.<sup>262</sup>

Prolonged periods of inactivity for Orrery were a rare occurrence before 1716. His diverse interests and political obligations kept him in London much of the year, but he was an avid horseman and seems to have enjoyed escaping to the country whenever possible. The Marston's distance prevented frequent journeys there, however, and probably prompted his purchase of a smaller manor house nearer to the capital called Brittwell in 1714. Purchased for £750, Brittwell was located in Burnham, a small Buckinghamshire village in the Thames valley.<sup>263</sup> Near Eton and Windsor, it afforded Orrery the benefits of a country seat which was still within convenient range of London. Orrery often journeyed to Brittwell for weekends, holidays, and on fairly short notice, where he entertained close friends such as William Cecil and William Byrd.<sup>264</sup> Little is known of the estate during Orrery's ownership. Later in the century Brittwell was tersely described as 'an agreeable seat'.<sup>265</sup> Further clues as to the layout and size of the house are found in an account of a mysterious visit by three French noblemen in 1730, in which Brittwell is portrayed as a modest, but comfortable house, where guests enjoyed diversions such as bowling, billiards and port.<sup>266</sup>

## VIII

The year 1706 also marks a landmark of another sort in Orrery's life: his only marriage. On 30 March 1706 he took for his wife Lady Elizabeth Cecil, daughter of the deceased 5th Earl of Exeter,<sup>267</sup> whose eldest son John had inherited his father's titles and estates in 1700.<sup>268</sup> Though learned, Lady Elizabeth's father was an unambitious figure who had served briefly as

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<sup>262</sup>The 5th Earl undertook even more extensive works at Marston, including waterspouts in front of the house and in the garden. He also retained Switzer as an advisor throughout the 1730s: McGarvie, *Gardening*, pp. 8, 12-14.

<sup>263</sup>The 5th Earl sold the house in 1734; Bucks. RO, Aylesbury, Deeds of Brittwell Court, Burnham, Buckinghamshire, D/BR, D39/5-7.

<sup>264</sup>RA, Stuart Papers 77/12, and 78/152. Byrd stayed at Brittwell for several days in the summer of 1718: see *London Diary*, p. 150. At Christmas 1729 the Jacobite tutor of Bonnie Prince Charles, the Chevalier Ramsay, visited the house: *Orrery Papers*, i, 75; Lepper, 'Orrery, Chevalier Ramsay, John Kempe', pp. 76-78.

<sup>265</sup>The house was extensively renovated in the later 1700s; for this description see *The Windsor Guide, Containing a Description... of the Parks, Towns, Villages, and Seats in the Vicinity of Windsor* (London: C. Knight, 1782), p. 107.

<sup>266</sup>OPH, MS Eng. 218.2, i, 162-64; *Orrery Papers*, i, 67.

<sup>267</sup>Northamptonshire RO, Northampton, Register of Stamford Baron Parish, 1662-1728, 296p/10; Luttrell, vi, 32; Boyer, *Annals*, v, 489-90; Pointer, ii, 555.

<sup>268</sup>The 5th Earl died in 1700 at age 52; *Complete Peerage*, v, 219-20.

Tory MP for Northamptonshire in the 1690s. Yet both the 5th Earl of Exeter and his successor appear to have preferred a country squire's leisure to busy political lives in London.<sup>269</sup> Despite their lack of direct participation in government, both the 4th and 5th Earls were advocates for Tory MPs in Northamptonshire.<sup>270</sup> Orrery may have been introduced to the Cecils through his friend Matthew Prior, who had been acquainted with the family since 1689, when he had resided at Burghley while serving as tutor to the 6th Earl.<sup>271</sup> As observed previously, Orrery was acquainted with one of Lady Elizabeth's kinsmen, William Cecil, who was commissioned as an officer in Orrery's regiment. Cecil was also listed as a trustee in Orrery's marriage settlement.<sup>272</sup>

Orrery's marriage is another event about which little information has survived.<sup>273</sup> It is known that his matrimonial plans were common knowledge among London society,<sup>274</sup> and the settlement, dated 20 March 1706, was apparently drawn up there. Orrery did not give the impression of wedding Lady Elizabeth solely to acquire a large marriage portion, but her brother Lord Exeter did agree to provide £10,000.<sup>275</sup> The wedding itself must have been a splendid affair for it was held at Burghley House, the Cecil's ancestral estate near Stamford. Lady Elizabeth was approximately 19 years of age at the time of her wedding, 13 years her husband's junior. Variousy described as 'accomplished and beautiful',<sup>276</sup> and a lady possessing a 'great deal of beauty and merit',<sup>277</sup> the reproduction of a 1707 portrait of her tends to at least confirm these assessments of her physical appearance.<sup>278</sup> An admiring

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<sup>269</sup>Macky, p. 108, describes the 6th Earl of Exeter as a man who avoided 'Business' and preferred 'Hawking, Horse-Matches and other country sports'; another contemporary largely concurred, describing Exeter as a man known to 'Love Drinking': BL, Add. MS 31144, f. 192.

<sup>270</sup>Eric G. Forrester, *Northamptonshire County Elections and Electioneering, 1695-1832* (Oxford: University Press, 1941), pp. 23-102, *passim*.

<sup>271</sup>At Burghley Prior wrote several poems and a famous epistle to Lady Exeter: Eves, pp. 40-43; H. Bunker Wright and Monroe K. Spears, eds., *The Literary Works of Matthew Prior* (2 vols., Oxford: Clarendon Press, 1959), i, 78-91.

<sup>272</sup>Manuscripts in the possession of The Hon. G.H. Boyle, Esq. Bisbrooke Hall, Rutland, Leicestershire, 'A Copy of Charles Earl of Orrery's Marriage Settlement with the Lady Elizabeth Cecil, Anno 1705', p. 41; *Army Lists*, v, 264; *idem*, vi, 351; *Wentworth Papers*, pp. 544-45; and above, Ch. 3, p. 72, n. 12.

<sup>273</sup>The manuscript surveys in the Northamptonshire Record Office contain numerous references to relevant papers held by the Cecil family at Burghley House, but repeated attempts by the present author to gain access to these in 1991-92 was denied.

<sup>274</sup>Sir John Cropley reported plans of Orrery's marriage earlier in the week: CKS, Chevening MS C9/31/6. The marriage may have been planned for several months, as Oxonian Thomas Hearne reported that it had already taken place before Christmas, 1705: Hearne, i, 124.

<sup>275</sup>'Marriage Settlement', pp. 21-22.

<sup>276</sup>Noble, ii, 54.

<sup>277</sup>Budgell, p. 209.

<sup>278</sup>The portrait, sold in 1905 and now untraceable, is reproduced in *Orrery Papers*, i,

poet seeking Orrery's patronage echoed these sentiments with a dedicatory poem extolling the virtues of both bride and groom.<sup>279</sup> On 2 January 1707, a few months before Orrery's first campaign in Flanders,<sup>280</sup> and scarcely nine months after the wedding, Lady Orrery was delivered of a son. Christened John, he was the couple's only child and succeeded his father as the 5th Earl of Orrery in 1731.

Sadly, Orrery's marital bliss was cut short on 12 June 1708 by the sudden and unexpected death of Lady Orrery. Apparently a petite, frail woman, she died as the result of an unknown illness at Orrery's London house.<sup>281</sup> Because no letters to his wife appear to have survived, it is virtually impossible to ascertain how deeply Orrery was affected by the loss. Budgell insisted that Orrery loved his wife 'tenderly and always mentioned her name with affection',<sup>282</sup> and despite his later licentious behaviour and exploits with Byrd, the fact that Orrery never remarried might go some ways towards substantiating this testimonial.<sup>283</sup> Whatever the case, Orrery's marriage, lasting just a little over two years, had at least supplied him with an heir. Orrery also appears to have derived more immediate material advantages from his brief state of matrimony. The 5th Earl of Exeter bore a considerable burden of debt when he died in 1700.<sup>284</sup> In November 1707 Orrery's brother-in-law, the 6th Earl, petitioned the House of Lords requesting relief from the obligations of his deceased father dating from 1695. At the same time, Orrery read his own petition requesting confirmation and ratification of a power in Exeter's petition for the 'leasing of Lands and tenements'.<sup>285</sup> The petition was reviewed by judges in the Court of Exchequer, who ruled in January 1708 that the estates should revert to Exeter, and their report confirmed a provision

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between pp. 124-25; cf. *The Sale Catalogue of the Contents of Marston House* (London: Vacher & Sons, 1905), (annotated copy of Arthur Bonham Christie, whose brother bought Marston House in 1905), item no. 43.

<sup>279</sup>The dedicatory work's effects must have been marred by the author's poor spelling: see Richard Spencer of Cobham's *An Epithalamium Upon the Happy Marriage of the Right Honourable Earl of Orrerey* (sic) (London: n.p., 1706).

<sup>280</sup>*Letters from Italy*, p. i; Lodge, *Peerage*, i, 196; *Complete Peerage*, x, 190; and *Orrery Papers*, i, 63.

<sup>281</sup>She was buried in St. James' Church, Westminster, on 21 June; *Complete Peerage*, x, 190; Luttrell, vi, 315; Lodge, *Peerage*, i, 195; and above, Ch. 3, p. 82, n. 70.

<sup>282</sup>Budgell, p. 209.

<sup>283</sup>The most likely reason he never remarried was because of a long affair with a live-in mistress, of which see below, pp. 505-07.

<sup>284</sup>A petition of his son William lodged in the House of Commons in March 1701 listed obligations totalling over £30,000, which were to be satisfied by the sale of lands in Lincoln and Northamptonshire; *CJ*, xiii, 812.

<sup>285</sup>*LJ*, xviii, 348.

'raising £4,000 for Lady Elizabeth Cecil, now Countess of Orrery, upon her marriage'. A draft of a bill confirming the powers of the judges' decision passed on 9 February.<sup>286</sup>

Following his wife's death Orrery never remarried, yet how much he genuinely cherished and revered her memory is questionable. Admittedly, his limited financial resources did not cast him as an overly attractive catch for a second wife. Moreover, judging from his exploits and those of his lifelong friend and fellow widower, William Byrd, during the late 1710s, both seem to have thoroughly enjoyed the life of the bachelor rake. For it must be confessed that not unlike many of his aristocratic contemporaries, Orrery came to exhibit increasingly disreputable and immoral behaviour, indiscriminately engaging in what with frankness can only be classified as lewdness and promiscuity, particularly throughout 1717-1719. One observer remarked in 1714 how Lords Jersey and Bathurst had become mere pimps for Orrery's friend Bolingbroke, supplying him with a 'blackguard girle' known as 'Bell Chuck', a prostitute of 'high keeping who was first kept by Lord Orrery'.<sup>287</sup> While Byrd's *London Diary*'s tantalising references to meetings among noblemen and politicians unfortunately omit substantial details, accounts of the sexual exploits of Byrd and his frequent companion 'Lord Bordelio'<sup>288</sup> are plentiful and rival anything from the pages of Cleland's *Fanny Hill*. A paraphrase of a typical entry from Byrd's *Diary* proves this point. From 1717-1719, when Byrd resided in London, the pair usually attended an opera or play at least once a week. During the performance, unaccompanied females would be sought out and then often accompanied to a brothel, inn or coffee house for the night.<sup>289</sup> This behaviour was a regular occurrence, but it must be said that Byrd recorded more of his own amorous adventures than those of his friend.<sup>290</sup> After Byrd's final departure from London, Orrery's escapades are documented less thoroughly. Evidence from the early 1720s, however, provides unmistakable proof that Orrery maintained a curious arrangement with his amanuensis and the latter's wife, which have been

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<sup>286</sup>Exeter sought revocation of his father's estate because the dowager Countess had remarried and died soon after her first husband's death, leaving a second husband who now claimed entitlement to lands and estates rightly belonging to the family: HMC, *House of Lords*, vii, 336-37.

<sup>287</sup>*Wentworth Papers*, p. 395.

<sup>288</sup>It was in this manner that Byrd addressed his letter of apology to Orrery in 1704 upon declining a commission in Orrery's regiment of Foot, therefore suggesting that Orrery's promiscuous behavior dated from his youth; see the original MS letter, cited above, Ch. 3, p. 72, n. 17; and *idem*, reproduced in *Byrd Corr.*, i, 244-45.

<sup>289</sup>E.g., *London Diary*, p. 100, entry for 30 April 1718. On this occasion Orrery and Byrd met two women at an opera. Orrery proceeded to have sexual intercourse with his newfound acquaintance, while Byrd went to an engagement at the Spanish ambassador's house.

<sup>290</sup>For a discussion of the motivations for recording such encounters for posterity see Lockridge, pp. 53ff.

referred to in passing in an earlier chapter.<sup>291</sup> This arrangement deserves more detailed explanation not only for its own sake but because of the influence it had upon the 4th Earl's relationship with his son John.

Along with Swordfeger's imprisonment in 1722 and later Jacobite activities, allusions have also been made as to the relationship Orrery enjoyed with Swordfeger's wife Margaret, who was eventually elevated to the status of unofficial consort and mistress.<sup>292</sup> Since extremely little is known about Margaret Swordfeger, it cannot even be asserted with conviction as to how she and Orrery originally became acquainted. It is possible that she was a mistress whom Orrery preferred to retain and thus arranged a marriage in name only to his clerk. Another possibility is that she was an actress Orrery had met through some encounter at the theatre.<sup>293</sup> Only speculation is possible, for Orrery's son John grew up to detest his unofficial stepmother and consequently may have destroyed substantial evidence of her relationship with his father that might otherwise shed light on its origins.

However it originated, the relationship developed into a long and intimate one. Margaret Swordfeger eventually became Orrery's second wife in every sense, with the exception of a legal one. She helped raise his motherless son John, a weak and sickly child rendered all the more lonely and insecure by his father's extended absences. As demonstrated earlier, she also had extensive knowledge of Orrery's Jacobite activities and was herself a devoted adherent of the Stuarts. During Orrery's imprisonment in 1722-1723 and at other times of heightened government surveillance, she was James Hamilton's contact for sensitive letters and messages sent from the Continent, often personally conveying them to Orrery.<sup>294</sup> She also exchanged letters herself with the exiled king whom he was striving to restore. In 1729 a letter from the Pretender's secretary informed James Hamilton that: 'The four boules of Irish Isquebean are come safe, and I have delivered them to the King. H.M. has tasted it & desires me to tell you he finds it mighty good, & would have you thank Mrs Swordfeggar for it'.<sup>295</sup>

Orrery's relationship with Mrs. Swordfeger was common knowledge among his acquaintances in Britain as well as Jacobite exiles.<sup>296</sup> Some scorned Orrery because of his relationship

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<sup>291</sup>See above, Ch. 9, pp. 379-80; Ch. 10, *passim*.

<sup>292</sup>The only prior discussion of the Orrery-Swordfeger liason is a brief discussion in McGarvie, *Marston House*, pp. 80-87.

<sup>293</sup>Orrery's uncle and godfather, Dorset, it must be recalled, briefly cohabitated with the infamous Nell Gwynn.

<sup>294</sup>RA, Stuart Papers 59/126, 143; *idem*, 63/108.

<sup>295</sup>RA, Stuart Papers 124/143. James Edgar to James Hamilton, 25 Jan. 1729; *cf.* RA, Stuart Papers 70/89; and above, Ch. 9, p. 380.

<sup>296</sup>After an extended visit to Brittwell in 1718 William Byrd recorded that he 'took leave



with his mistress. Atterbury supposedly denounced Orrery for his attachment to this 'lewd woman whose husband's indiscretion and weakness' were well known,<sup>297</sup> yet both Margaret and her 'husband' Simon remained in Orrery's service until the latter's death. By the 1720s Margaret had given birth to as many as four of Orrery's own children, whose paternity is implied by William Byrd's appearance as godfather to one of them,<sup>298</sup> an honour certainly denied a child who did not possess the noble blood of its mother's employer, as well as Mrs. Swordfeger's travels to Paris with Orrery in 1725.<sup>299</sup> Orrery's fatherhood of the Swordfeger children is further confirmed by two additional documents. One is Orrery's own rather remarkable will. Drawn up in 1728 to the utter chagrin of his legitimate son and sole heir, John, Lord Boyle, Orrery's stipulations ensured that in appreciation of Margaret's 'long Services, her fidelity to me and tender care of John',<sup>300</sup> she and her children were granted an exceedingly generous provision. They were guaranteed receipt of a sum of £1,000, while Simon Swordfeger was bequeathed only £200. Margaret's bequest was designated 'not in anywise liable to the Disposall, Controul or power' of her lawful husband or any later spouse she might acquire. The settlement was even more rankling to Lord Boyle because of two additional conditions. One was the proviso that in the event Margaret's inheritance proved insufficient, he was 'to make a Proper addition' to her provision. A 1730 codicil to Orrery's will granted a supplementary sum consisting of the interest on a repaid £6,000 mortgage which had been invested in South Sea and East India Company bonds.<sup>301</sup> Furthermore, in the event of unforeseen circumstances, Orrery's executors were to ensure that the entire sum was to pass to Margaret, even if it was necessary to: 'Subject all my personal Estate to make good the same. And it is my will & Desire that my son the Lord Boyle shall have no benefitt or Advantage from the Residue of my personall estate given him by my Said will' until Margaret

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of my Lord Orrery and my Lady': *London Diary*, p. 150, 19 July 1718.

<sup>297</sup>BL, Add. MS 38504, ff. 126-27. (copy), J.[ohn] Semple to Horatio Walpole, 25 Nov. 1725 N.S.; cited above, Ch. 9, p. 382.

<sup>298</sup>*London Diary*, p. 295, entry for 17 July 1719; see above, Ch. 9, p. 380.

<sup>299</sup>In BL, Add. MS 61830, ff. 61-62., From Paris in December 1725, Orrery informed Uxbridge how 'Mrs. Swordfeger & her little family are all well & beg your Ld wou'd accept of their duty'; cf. similar comments about Orrery's 'very large family' in NLI, MS 4177. Orrery to Badham, 20 Feb. 1725, O.S.; *idem*, cited in McGarvie, *Marston House*, p. 81.

<sup>300</sup>For the will see PRO, (Prerogative Court of Canterbury), PROB 11/646/341-42, Will of Charles, 4th Earl of Orrery, proven 6 Nov. 1728. Margaret's 'fidelity' remains open to question; Byrd's *London Diary*, p. 203, records how on 5 Dec. 1718 he 'went to my Lord Orrery's but I found only Madam there and kissed her for half an hour and then went home'.

<sup>301</sup>The £6,000 originally derived from a mortgage Orrery had received from MP Archibald Hutcheson which was then repaid and again lodged against the Lancashire estates of Sir Thomas Standish.

had received her settlement. Finally, the will ordered that if Orrery's rightful, legitimate heir sought in any way to 'interrupt or Delay' the settlement, an additional £4,000 was to be given to the woman and her children.<sup>302</sup>

Although unnecessary, additional conclusive proof of Orrery's paternity of the Swordfeger children is provided in a series of letters dating from their mother's death in 1741. Following the 4th Earl's demise a decade earlier, the Swordfeger family had resided in France for reasons of economy.<sup>303</sup> After Margaret's death the two eldest children, Charles and Clementina,<sup>304</sup> returned to England with two younger siblings in attempts to collect the full amount of their mother's bequest and any additional sums they could persuade their noble yet impoverished half-brother to donate.<sup>305</sup> A letter from the 5th Earl regarding marriage prospects for the two sisters and the children's rumoured conversion to Catholicism betrays embarrassment over his siblings' appearance and his resentment of their deceased mother:

I apprehend they are Roman Catholicks: but of this I have no certainty. They have lived some years at Boulogne in France under the misconduct of a Wretched Mother. The Eldest is, if I mistake not, nineteen years old, extremely handsome, & I hope hitherto very good, notwithstanding various Temptations to the contrary: The youngest is between fifteen and sixteen. I have not seen her these many years, so I know [little?] or nothing of her Person, and almost as little of her Conduct, but in general I have heard it is good. If they stay in London, they are undone, and I have protested against having any thing to do with them or their Affairs unless they retire and live as Modest, virtuous, young women ought to live. The Eldest has two Thousand Pounds left her to her Fortune, by a Nobleman, who either was, or I presume Imagined, he was, her Father. The Youngest has One thousand Pounds left by the same hand. During the Mother's Life, I was resolved not to see, or concern myself about the Family. but she is now Dead: and Compassion will make me act a Brother's Part...They have two brothers, both Men, & both provided for by the noble Person I spoke of. The Eldest is very worthless, the Youngest is likely to go thro' Life honestly & rightly. They have fifteen hundred Pounds a piece...You will therefore not even pretend to guess who they are.<sup>306</sup>

Professing he would remain 'sincerely attached' to his sister 'Clemmy's' welfare as long as she promised to 'behave yourself as you have done, with prudence & Virtue', a beneficent

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<sup>302</sup>PRO, PCC, PROB 11/646/341v; *idem*, PCC, PROB 31/221/159, administration of will of Margaret Swordfeger, 21 Jan. 1742.

<sup>303</sup>Margaret had suffered from financial hardship throughout the late 1730s, as she had been forced to request numerous loans on the dividends from the stock interest to which she was entitled according to the £6,000 settlement: PRO, PCC, PROB 31/221/159, 242.

<sup>304</sup>Their names are both positive signs of their parents' identity as well as their Jacobite sympathies. The third child of this union, another son, was appropriately named Boyle Swordfeger.

<sup>305</sup>OPH, MS Eng. 218.4, iv, 8. Simon Swordfeger's ultimate fate is unknown. His wife's will lists him as residing in Bloomsbury as late as Feb. 1740, but OPH, MS Eng. 218.4, iv, 8, a very candid letter from John, 5th Earl of Orrery, to Col. William Cecil, Marston, dated 5 Sept. 1741, reported the siblings' return, Mrs. Swordfeger's death, and also mentions Simon as having settled in a monastery on the Continent. Unfortunately, the letter ends in mid-sentence because p. 9 is missing, apparently having been intentionally ripped out of the letterbook so as to destroy evidence of a shameful nature.

<sup>306</sup>OPH, MS Eng. 218.4, iv, 10. John, 5th Earl of Orrery to Mr. Trevanion, Marston, 5 Sept. 1741; *idem*, partially cited in McGarvie, *Marston House*, p. 80.

5th Earl made enquiries and arrangements for a suitor for his half-sister. He discovered his plans were all for nought, however, when rumours of the family's Catholicism proved true,<sup>307</sup> and he lamented that his sisters had 'fallen so easily into the Snares & Wiles of the Church of Rome'.<sup>308</sup> Upon writing what was probably his final communication with Clementina, he informed her that he was sorry she had 'fallen prey to the Fallacies' of Roman Catholicism, because her choice precluded any assistance he might have rendered. Reminding both Clementina and her younger sister Martha Sophia that he could do nothing but 'pity you since you have put it out of my Power to serve you', he wished their future might prove 'happy, for the sake of a certain person, who if he had lived would have taken Care to have instructed you in the Religion of your Country too well to have been deluded from it. In memory of him, I will do all that I think he would wish I should do'. Shortly thereafter, perhaps as an act of defiance, Clementina married a penniless Irish Roman Catholic named Morres, whose apparent sole possession was a captain's commission in the French army.<sup>309</sup>

The Swordfeger siblings' religious preferences, Clementina's decision, the legal difficulties concerning Sir Thomas Standish's inability or unwillingness to pay the siblings' interest arrears due on his mortgage, and the apparent reluctance of some of the 4th Earl's executors to enforce his will to the letter to the detriment of the 5th Earl's interests, all seem to have complicated the children's receipt of their mother's settlement. Claiming he and his sisters were nearly destitute, Charles Swordfeger appealed to his half-brother for assistance 'in order to get our fortunes out of his [Standish's] hands'.<sup>310</sup> The 5th Earl of Orrery disingenuously professed sympathy for their plight and cast blame on the trustees, while at the same time he confided to one of them that he 'was determined to have no more to do with, or for the family, since I had great reason to believe that after all my endeavours to do 'em service I was likely to meet with very unsuitable returns'.<sup>311</sup>

The Swordfeger children do not entirely vanish from the pages of history after 1742.<sup>312</sup>

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<sup>307</sup>OPH, MS Eng. 218.4, iv, 12. John, 5th Earl of Orrery to Miss Clementina Swordfeger, Marston, 21 Sept. 1741; *ibid.*, ff. 13-14. John, 5th Earl of Orrery to Mr. Hixon, Marston, 21 Sept. 1741; *ibid.*, ff. 16-17. John, 5th Earl of Orrery to Revd. Trevanion, Marston, 14 Oct. 1741.

<sup>308</sup>OPH, MS Eng. 218.4, iv, 14.

<sup>309</sup>OPH, MS Eng. 218.4, iv, 16. John, 5th Earl of Orrery to Ms. Clementina Swordfeger, Marston, 7 Oct. 1741; *ibid.*, f. 35. John, 5th Earl of Orrery to Mr. Walter Pryce, 9 Dec. 1741.

<sup>310</sup>OPH, MS Eng. 218.4, iv, 26-27. Charles Swordfeger to John, 5th Earl of Orrery, London, 21 Nov. 1741.

<sup>311</sup>OPH, MS Eng. 218.4, iv, 42-43. John, 5th Earl of Orrery to Walter Pryce, 4 May 1742.

<sup>312</sup>The fate of Charles and his brother Boyle is unknown. Clementina died in childbirth a year after her marriage to Captain William Morres (or Morrice): see PRO, PROB 6/118/35, 131.

The youngest child, a daughter named Martha Sophia, was the subject of two published tracts composed some 40 years after her natural father's death. Quite young when her mother died, she was cared for by Captain Morres, who sent her to nunneries at Gravelines and Lille for education. Her misfortune thereafter was to suffer a genuine fate not unlike the fallen heroine of an eighteenth-century novel. Seduced and left pregnant by an East India Company merchant named Newton,<sup>313</sup> who had failed to fulfil promises of marriage, she became destitute and appears to have pleaded to her godfather for assistance, who in her case was Lord Bathurst, now almost 90 years old. Conveniently, Bathurst's son, Lord Apsley, was Lord Chancellor and he penned an anonymous pamphlet to draw attention to her plight. Apsley's treatise distinctly identified her as 'a natural Daughter of Charles Earl of Orrery', the product of an 'avowed and well-known Connection, that subsisted between his Lordship and Mrs Swordfeager' which 'notwithstanding She [Margaret] was at the Time a married Woman...(to whom he had left 10,000l.)'. Proceeding to give some account of the children's fate after their father's death, Apsley described the ill-fated Clementina as 'one of the most beautiful young Women of her Time'. He also decried the younger sister's despicable treatment in attempts to shame her suitor into offering some form of compensation for her lost virtue.<sup>314</sup>

Orrery's long relationship with Margaret Swordfeager also had other significant effects. For it was his relationship with her that primarily precipitated a bitter estrangement between him and his son John which indirectly affected the disposal of the 4th Earl's priceless library and scientific instruments. Both of these effects stem from 1728, the year the future 5th Earl attained maturity and took as his wife Henrietta Hamilton, the daughter of the Earl and Countess of Orkney.<sup>315</sup> As was customary, Orrery was instrumental in proposing and arranging the match.<sup>316</sup> Soon after the marriage, however, Lord Boyle's parents-in-law

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<sup>313</sup>She gave birth to Newton's son in 1750, but the infant perished soon thereafter.

<sup>314</sup>[Henry, Lord Apsley], *The Case of the Unfortunate Martha Sophia Swordfeager* (London: n.p., 1771), pp. 7-8. For Newton's denials of wrongdoing see his response: Andrew Newton, *A Letter from Andrew Newton to the Right Honourable Henry Lord Apsley, Lord High Chancellor of Great Britain. In answer to a pamphlet published by his lordship, intitled, The Case of the unfortunate Martha Sophia Swordfeager* (London: n.p. 1771). The British Library's copy contains 'two printed letters from the author to the Lord Chancellor and to Mrs. Coote'.

<sup>315</sup>Orkney was married to Elizabeth Villiers, a mistress of William III and sister of the 1st Earl of Jersey. She was quite close friends with Swift for a time, who described her as a 'squinting dragon', who nevertheless gave him a portrait of her which Swift bequeathed to John, 5th Earl of Orrery: *Journal to Stella*, ii, 570, 581-84, 628. Her portrait is reproduced in *Orrery Papers*, i, plate facing p. 190.

<sup>316</sup>*Orrery Papers*, i, 63; in addition to his acquaintance with Orkney from their military service in Flanders, Lord and Lady Orkney often resided at Cliveden, their country estate near the village of Taplow which was only a few miles from Britwell.

promptly instructed their daughter she was strictly forbidden to call on her new father-in-law because of Orrery's ongoing liason with Mrs. Swordfeger. Infuriated by such treatment,<sup>317</sup> Orrery demonstrated his apparently genuine love for his mistress by drawing up the extremely favourable terms of the will discussed above. He also countered with yet another stipulation; his close friend Uxbridge and several other executors were authorised to withhold from Lord Boyle an additional sum of £5,000 derived from Orrery's personal estate if his son 'lives, Cohabitts or Corresponds' with his parents-in-law either before or after his father's (Orrery's) death.<sup>318</sup> Compounding this proviso and the humiliating concessions made to Margaret Swordfeger, perhaps most damning to Lord Boyle's sensitivity and reputation was a remark in the will concerning the disposition of Orrery's library. Despite his frequent absences, Orrery's employment of Fenton demonstrates that he had taken great care in providing for John's education. In addition to his tutelage under Fenton, and despite Orrery's financial hardships, John's education was further enhanced by his study at Westminster School and by his enrollment at Christ Church in the 1720s.<sup>319</sup> Even with these preparations, however, the quarrel with the Orkney so enraged Orrery that he was driven to observe that since John had never 'Shewed with Ease or Inclination either for the Entertainment or Knowledge which Study and Learning afford', he had decided to bequeath most of his books and the greatest part of his scientific instruments to his Oxford *alma mater*.<sup>320</sup> Orrery's derogatory comments about his son's intellect were patently unfair, and John spent the rest of his life attempting to disprove them.<sup>321</sup>

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<sup>317</sup>Lord and Lady Orkney's hypocritical snubbing of Orrery and his mistress was rather ironic, considering her Ladyship's own chequered past. Orkney was evidently fiercely defensive of his wife's remaining honour, however; Perceval recalled an occasion when Orrery's friend Dr. Samuel Garth had infuriated Orkney in Will's by his 'Railing agst men who married whores & King's mistresses': BL, Add. MS 47128, f. 48.

<sup>318</sup>Part of the sum would, of course, go to Mrs. Swordfeger if Lord Boyle failed to meet this condition: PRO, PCC, PROB 11/646/341; McGarvie, *Marston House*, p. 84. Lord Boyle broke the provision, possibly without his father's knowledge, when Orkney served as godfather to his second son in early 1730: see OPH, MS Eng. 218.2, i, 152-53.

<sup>319</sup>Orrery enrolled John at Christ Church in early 1724 and visited the college himself in the summer of 1723: HMC, *Portland*, vii, 364.

<sup>320</sup>The sole exceptions were Orrery's set of the *Journals of the House of Lords* and a few instruments kept in his country houses at Marston and Brittwell.

<sup>321</sup>The 5th Earl of Orrery (1707-1762), also fancied himself a litterateur and in addition to *Letters from Italy*, his published works include: *The First Ode of the First Book of Horace Imitated, and Inscribed to the Earl of Chesterfield. By John, Earl of Orrery* (London: for C. Bathurst, and G. Hawkins, 1741); *A Poem, Sacred to the Memory of Edmund Sheffield, Duke of Buckingham, Duke and Marquess of Normanby, Earl of Mulgrave, and Baron of Butterwick* (London: for J. Brindley, 1736[1737]; *Pyrrha. The Fifth Ode of the First Book of Horace Imitated* (Dublin: by and for George Faulkner, 1742); *Memoirs of the Life of Robert Cary, Baron of Leppington, and Earl of Monmouth...* (London: J. Hughes, 1759); and numerous editions of his popular *Remarks on the Life and Writings of Dr. Jonathan Swift, Dean of St. Patrick's, Dublin, in a Series of*

Henceforth from 1728-1730 there ensued a period of alienation between Orrery and his legitimate son which caused great emotional distress. Lord Boyle was especially distraught over the 'state of War' that existed between his father and his wife's parents,<sup>322</sup> and the dilemma of trying to choose between deference and paternal obedience or devotion to his wife.<sup>323</sup> The toll upon his health was substantial. Steps towards a reconciliation were taken in August 1730.<sup>324</sup> After accepting an invitation to spend Christmas at Britwell, Lord Boyle became deathly ill and was sent to London for treatment. His father followed, and personally and tenderly attended him in his recovery.<sup>325</sup> Thus John's illness was the catalyst for the reconciliation with his father which the young nobleman so earnestly desired.<sup>326</sup> If a great personal tragedy for Lord Boyle, it was perhaps a enormous, fortunate accident of fate, that Orrery never quite got around to amending the will's provisions before his death in the summer of 1731, thus ensuring the preservation of his library and scientific instruments virtually *in toto*. Nevertheless Lord Boyle was deeply affected by his father's death just a few months after their reunion; it was followed by his own wife Henrietta's death a year later.<sup>327</sup> Perhaps affected by his bereavement, Lord Boyle, unlike Orrery, proved a doting father who shunned public affairs and instead preferred the bucolic retirement of his beloved Marston.<sup>328</sup>

Family squabbles and illegitimate siblings thus bring to a conclusion this comprehensive

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*Letters from John Earl of Orrery, to his son, the Honourable Hamilton Boyle* (London: for A. Millar, 1752).

<sup>322</sup>OPH, MS Eng. 218.2, i, 108-09; Lord Boyle lamented: 'My fate from the Cradle has been a strange one; I lost my Mother before I knew I had one; I have a Father but he seems not to know he has a Son': see *Orrery Papers*, i, 83.

<sup>323</sup>On 24 Oct. 1728, John wrote: 'My Heart is heavy, and all my Mirth is Affectation and Hypocrisy. The Days of my Youth are Days of Sorrow; my Affection to my Wife and my Duty and filial Love to my Father tear me Different Ways': OPH, MS Eng. 218.2, i, 93-94.

<sup>324</sup>*Orrery Papers*, i, 85-87.

<sup>325</sup>BL, Add. MS 22229, f. 53. Lady Wentworth to Strafford, 2 Jan. 1731: 'Lord Boyle is very ill & the[y] believe he will dey'; also see *Orrery Papers*, i, 87. Lord Boyle to Mr. Salkeld, New Bond Street, London, 8 May 1731.

<sup>326</sup>In the spring of 1731 Lord Boyle confided that 'My Father continues still very kind to me; There, there is my hope, and I believe it is unmixed with pride or vanity, tho' in the strictest acceptation. It may arise perhaps from self-love. Whilst I am well with him I shall certainly be in health...': see OPH, MS Eng. 218.2, ii, 200. Boyle to Mr. Kempe, 17 April 1731.

<sup>327</sup>*Orrery Papers*, i, 95, 117-20; OPH, MS Eng. 218.2, i, 50-54, 223-24. Lord Boyle was patently disappointed over the circumstances of his father's will, but displayed no diminished esteem or affection for him despite Orrery's failure to alter it: for this and his grief see also: *Orrery Papers*, i, 96.

<sup>328</sup>Marston's archivist has suggested that the 5th Earl's pursuit of numerous friendships with older men such as Thomas Southerne and Swift were signs of his yearning for the male companion he lost in 1731: McGarvie, *Marston*, p. 88.

survey of the literary and intellectual pursuits, the financial conditions and, the personal relationships, of Charles Boyle, 4th Earl of Orrery. A detailed recapitulation of these relationships would prove tedious and unnecessary, but it is sufficient to say that certain salient characteristics emerge. One of these is of a young man driven to perpetuate and if possible, duplicate and emulate the legacy of a grandfather who was not only a prominent soldier and statesman during some of the most tumultuous years in British History, but also an accomplished Restoration dramatist. A nearly accidental literary fame based on an irrelevant philological attribution which happened to appeal to literate society catapulted his grandson into the Augustan literary limelight and the guise of literary patron. Was the 4th Earl of Orrery simply a well-meaning dilettante whose vanity compelled the submission and publication of ill-advised and substandard works? This seems the natural and most logical reaction, partly qualified by taking into account the caveat concerning the theatrical background of *As You Find It*. In the realm of science, timidity and the apparent recurring and hereditary fear of rejection frustrated a similar deep-seated desire and the perhaps natural public expectations that the young nobleman would maintain a reputation worthy of the great Robert Boyle's nephew. None the less, if Orrery was a relative failure in his own literary and scientific contributions, he should receive credit for his enlightened generosity and zeal as a collector. His discerning patronage, coupled with his unconceited benevolence and disregard for some of the social norms of his day, are evident in many of the relationships he shared with those who enjoyed his support; they are all the more laudable when his poor attention to the details of absentee estate management and its concomitant inconsistent and diminished income are taken into account.<sup>329</sup>

It was probably inevitable that a man such as Orrery who disliked Ireland, who was never really groomed to inherit the family's estates, who lacked a father figure to instruct him in the rudiments of estate management, and who spent so much time abroad in military or diplomatic activities or in London embroiled in national politics would, like so many fellow absentee Irish landholders, fail in the administration of his estates. If he is to be faulted for extravagance and his fiscally-inopportune building and gardening improvements, then he committed sins no greater than those shared by most eighteenth-century aristocrats, regardless of their annual incomes. He must also be classified as a failure in the

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<sup>329</sup>If inept in his own estates' management, Orrery was evidently considered judicious and possessing integrity. For example, in addition to his aforementioned supervision of Wharton's affairs, Orrery and Aberdeen were arbitrators for an estate dispute in 1726 between the Duke of Hamilton and the Earl of Dundonald: *Letters of George Lockhart*, p. 278.

administration of his family affairs. Apparently tempestuous and haughty at times, his relationship with his only legitimate son was often cold and painful. Characteristics of his similar relationships with the children born to Mrs. Swordfeger are impossible to comment on; the 5th Earl's indignity is almost certainly to blame for the near total absence of letters which might provide details on this subject. In fairness, it should be pointed out that perhaps with the possible exception of Aldrich, Orrery, like his friend William Byrd, lacked a significant 'male other' figure who could have supplied a needed role model upon which to mould any blueprint for paternal behaviour.<sup>330</sup> At the same time, Orrery seems to have influenced his son John in numerous negative as well as positive ways.<sup>331</sup> Unlike his son, in the interregnum of a military career which witnessed the fury of war and a retired leisurely life at Marston, Orrery avidly immersed himself in court and political rivalries and made a foray as a diplomatist. In the context of these spheres, Orrery's impact upon them, and his relative degree of success in politics, Jacobitism, his missions to Paris, and his financial alienation, must all be assessed against the backdrop of the vivid personality and diverse interests just described.

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<sup>330</sup>Lockridge, pp. 11-17, cites this similarity and describes Byrd's 'nervous pursuit of ambition with excessive politesse', a fitting characterisation of Orrery as well.

<sup>331</sup>While John mirrored his father's penchant for literature and extravagance, he came to abhor public affairs and was by far the more affectionate, attentive father and conscientious steward of the Irish estates.



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AAH 1799, 1828, Letters of Heinsius and Orrery, 1713.

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MSS Ashmolean 1815, 1817a, 1829. Letters of Edmund Gibson to Edward Lhuyd.

MSS Ballard 1-43, 45, 50, 54, 62-64, 67, 74.

MSS Carte 100, 109, 129-30, 180, 237-38. Miscellaneous Jacobite Papers.

MSS Cherry 22-23. Thomas Dodwell letters.

MS Eng. hist. c. 6. Letters of Humphrey Wanley, 1696-1709, and E. Thwaites, 1697-1703.

MS Eng. hist. c. 11. Letters of Edward Lhuyd.

MS Eng. hist. c. 374. Miscellaneous.

MS Eng. hist. d. 103. Letters of Dr. William King to John, 5th Earl of Orrery, 1738-60.

MS Eng. hist. d. 118. Diplomatic letters (copies) of Charles, Viscount Townshend, and Sir Robert Walpole, 1709-11.

MS Eng. lett. c. 130. Letters of Henry Aldrich, 1691-96.

MS Eng. lett. c. 144. Letters of Thomas, Earl of Strafford to Orrery, 1714.

MS Eng. misc. c. 75. Miscellaneous.

MS Eng. misc. d. 97. Letters of John, 5th Earl of Orrery, to Mr. Bowen (his steward).

1743-62.  
 MSS Hearne K-95-96. Diaries of Thomas Hearne, 1722-23.  
 MS Lister 3. Letters of Walter Charlett.  
 MS Locke C-12. Letters of Peter King to John Locke, 1695-1704.  
 MSS North a.3, b.2, c.8, c.9, c.11, d.1. Letters and Parliamentary Papers of William, Lord North & Grey, 1696-1723.  
 MS North d.4. Correspondence of the Earl of Guilford, 1722-50.  
 MS Rawlinson A-245. Occurrence book of Anthony Hammond.  
 MSS Rawlinson A-285, 286. Diplomatic Papers of John Robinson, Bishop of London, Ambassador to Utrecht, 1711-14.  
 ----- C-123. Secret Service Accounts of the Duke of Newcastle, 1729-1739.  
 ----- C-151. Newsletters from London, addressed to Monsr. Marchand in Paris, Oct. 1722-April 1725.  
 ----- C-217. Correspondence of William Nicolson, 1689-1716.  
 ----- C-367. Secretary of State's accounts of Thomas, Duke of Newcastle.  
 ----- C-391. Letters to John Robinson, Bishop of London, 1711-14.  
 ----- C-392. Papers Relating to Bishop Robinson's Negotiations at Utrecht.  
 ----- C-393. Letters to John Robinson, Bishop of London, as Lord Privy Seal.  
 ----- C-445. Pension List, reign of George II.  
 ----- C-983. Letters of Henry Compton, Bishop of London, 1676-1710.  
 ----- D-174. Miscellanies of Anthony Hammond.  
 MSS Rawlinson D-400, D-918. Miscellaneous.  
 ----- D-1182-83. Bishop's Thomas Rawlinson's diary during a tour of Italy, 1722-23.  
 MS Rawlinson Jfo. 20. Papers on Merchants Taylor, Westminster and other Schools, 1661-1707.  
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 ----- Letters 92. Miscellaneous.  
 MSS Smith 47, 49, 59-60. Letters of Dr. Thomas Smith and Henry Dodwell, 1696-99.

British Library, London.

Add. MSS 836, 838. Sir Edward Sherburne Papers.  
 Add. MSS 3341-42. Minutes of Royal Society, 1696-1712.  
 Add. MS 3392. Military campaigns, 1704-09.  
 Add. MS 3984. Miscellaneous.  
 Add. MSS 4037, 4040, 4041-43, 4049, 4055, 4057, 4062-64, 4067-68. Papers of Sir Hans Sloane, 1696-April, 1737-38.  
 Add. MS 4076. Sir Hans Sloane's medical cases and letters regarding illnesses.  
 Add. MS 4264. Birch Collection.  
 Add. MSS 4274-77. Miscellaneous Bentley and Gibson letters.  
 Add. MS 4291. Miscellaneous letters of Francis Atterbury.  
 Add. MS 4808. Pope's Autograph *Iliad*; letters from Elijah Fenton.  
 Add. MSS 5143-44. Miscellaneous Atterbury letters, 1723-31.  
 Add. MS 5697. Withyham, Sussex, parish register.  
 Add. MSS 5831, 5853. Miscellaneous letters of Atterbury, Walter Charlett, and others.  
 Add. MS 5940. Miscellaneous Navy and military papers.  
 Add. MS 5994. Letters of Political Intelligence written to Dr. Beauvoir, Dean of Bocking, near Braintree, Sept. 1720-Dec. 1721.  
 Add. MSS 6116-17. Nicolson-Wake Correspondence.  
 Add. MSS 6194, 6209, 6911. Gresham College Papers; miscellaneous Bentley letters.  
 Add. MS 8880. Letters of Lord Paget.  
 Add. MSS 9128-29. Archdeacon William Coxe's Transcripts (Jacobite Papers, 1714-42).  
 Add. MSS 9148-54. Coxe Papers: letters of Walpole, Townshend, etc., 1714-25.  
 Add. MSS 9712-13. Miscellaneous Letters of Sir Robert and Edward Southwell, 1664-1735.  
 Add. MSS 9715-16. Miscellaneous Papers Relating to the Irish Parliament, 1692-1719.  
 Add. MSS 9750, 9759-60, 9762. Blathwayt Papers; miscellaneous Irish Army lists, 1696-1700.  
 Add. MSS 9765-66. Military lists and warrants issued by James, Duke of Ormonde, June 1703 to June 1707.  
 Add. MS 10388. The 'Life of Lysander Translated by C. Boyle'.  
 Add. MSS 11759, 12110, 15665. Miscellaneous letters, charters and parliamentary papers.  
 Add. MS 15866. Letters of Henry Boyle and Henry St. John to James Dayrolle, 1706-16.  
 Add. MS 15895. Correspondence of Laurence Hyde, Earl of Rochester, 1688-1709.

Add. MSS 17677 FFF, KKK-1, KKK-5. L'Hermitage Transcripts, 1712, 1716, 1722-23.  
 Add. MSS 17677 YYY, ZZZ. L'Hermitage Transcripts (Secret correspondence between England and The Hague), 1710-28.  
 Add. MSS 20103-04. Correspondence of Lady Sundon and Lady Cowper, 1714-37.  
 Add. MS 21137. Military Papers relating to Ireland, 1702-05.  
 Add. MS 21506. Letters of the 1st Earl of Orrery.  
 Add. MS 21494. Southwell Papers, 1703-05.  
 Add. MS 21553. Military Papers relating to Ireland, 1702-05.  
 Add. MS 22201. Henry Watkins letters, 1711-Nov. 1712.  
 Add. MS 22205. Letters and diplomatic correspondence of Strafford, 1711-1712; (copies).  
 Add. MSS 22211-12. Strafford Papers, 1711-14  
 Add. MS 22217. Strafford Papers. 'Political Memoranda and Papers, 1707-15'.  
 Add. MSS 22220-222. Miscellaneous Correspondence of Strafford, 1711-1737.  
 Add. MS 22223. Strafford Papers, Newsletters.  
 Add. MSS 22227-29. Strafford Papers, Miscellaneous Family Correspondence, 1708-37.  
 Add. MS 22263. Miscellaneous political papers of Strafford; lords protests, 1660-1733.  
 Add. MS 22264. 'Papers Relating to Military Affairs 1697-1734'.  
 Add. MS 22517. Carteret Papers.  
 Add. MSS 23235, 24023. Miscellaneous Papers and Autograph Letters, 1596-1844.  
 Add. MS 24384. Council Book of George, Prince of Wales, Oct. 1715 to Oct. 1716.  
 Add. MS 24968. 'Actes et Documents Concernant Les Bays Espagnols 1706-1717'.  
 Add. MS 27440. Memoirs of Charles Allestree, 1677-1702, Vicar of Daventry, Northamptonshire.  
 Add. MS 27980. Newsletters, March 1723-March 1724 (John, Earl of Egmont).  
 Add. MS 28041. Private Journal of the Duke of Leeds 1704-12.  
 Add. MS 28055. Official Correspondence of Sidney, Earl Godolphin, 1701-10.  
 Add. MS 28091. Parliamentary petitions, etc., 1660-1772.  
 Add. MS 28569. Letter of the 1st Earl of Orrery.  
 Add. MSS 28892-93. Letters of Sir John Ellis, 1704-1720.  
 Add. MSS 28917-18. Letters of Adam Cardonnel to Sir John Ellis, 1692-1705.  
 Add. MSS 28947-48. Ellis Papers, Misc., April 1703-1743.  
 Add. MSS 28951-52. Ellis Papers: Votes in the Irish Parliament, 1695-1703.  
 Add. MSS 29588-89. Correspondence of Edward Southwell.  
 Add. MS 30516. Letters to Lady Sundon, 1732-41.  
 Add. MS 31131. Letters of James Dayrolle to Lord Raby, 1710-11.  
 Add. MSS 31135-36. Strafford's political correspondence, May 1709-Sept. 1711.  
 Add. MS 31139. Strafford Papers, political correspondence, 1714-17.  
 Add. MS 31140. Strafford Papers, correspondence, March 1718-March 1739.  
 Add. MSS 31141-43. Private and family correspondence of Strafford, 1684-1756.  
 Add. MSS 31144-45. Family correspondence of Strafford, 1710-39.  
 Add. MS 31146. Strafford's political correspondence and papers, 1656-July 1712.  
 Add. MSS 31147-48. Strafford's political papers, Aug. 1712-March 1714  
 Add. MSS 32686, 32738, 32741, 32744-49, 32752-53, 32761, 32771-74, 33033, 33064, 33198-99. Newcastle Papers, 1707-34.  
 Add. MS 33225. Letters of Dr. Hare to Watkins, 1705-14.  
 Add. MS 33273. Letters to Henry Watkins, 1702-1714.  
 Add. MS 34079. Letter of Roger, 1st Earl of Orrery.  
 Add. MS 34348. Letters of Christopher Codrington, 1723.  
 Add. MS 34713. Diary of Lord Chancellor Macclesfield.  
 Add. MS 34727. Miscellaneous historical papers, 1532-1734.  
 Add. MS 34729. Letters of Robert Harley, Earl of Oxford.  
 Add. MS 35335. Original Letters, political verses, and Miscellaneous papers relating to Sir Robert Walpole, 1700-83.  
 Add. MSS 35585, 35837-38, 35875, 36134, 36147, 36149. Parliamentary papers and appeals in the House of Lords of Lord Chancellor Hardwicke, 1720-39.  
 Add. MS 36771. Letters of Daniel Finch, Earl of Nottingham, 1703-04.  
 Add. MS 37209. Diplomatic Correspondence of Charles, 4th Earl of Orrery.  
 Add. MS 37358. Whitworth Papers, 1710-12.  
 Add. MS 37397. Correspondence of Lords Marchmont and Whitworth at Congress of Cambray, 1725.  
 Add. MS 37634. Autograph Letters, Horace Walpole to Lord Townshend, 10 Nov. 1720-24.  
 Add. MSS 38149-50, 38152. Southwell letters, 1710-49; and papers pertaining to the Vice-Admiralty of Munster, 1696-97, 1697-98.  
 Add. MSS 38153-54. Sir Richard Cox's letters, 1703-06.

Add. MS 38499. Townshend Papers, 1708-1711.  
 Add. MS 38500. Letters of Horatio Walpole, Cardonnel, and Henry Watkins, 1709-10.  
 Add. MSS 38502-04. Autograph Letters of Horatio Walpole to Lord Townshend, 1725-26.  
 Add. MS 38507. Miscellaneous Townshend Papers, 1714-38.  
 Add. MS 38607. Theatrical Papers of Vice-Chamberlain Thomas Coke, (Extracts).  
 Add. MS 38712. Correspondence of Edward Southwell, 1705-1712.  
 Add. MS 38847. Letter of Lionel, 3rd Earl of Orrery, 1690.  
 Add. MSS 38852-53. Letters to Henry Watkins, 1702-14.  
 Add. MS 38861. Southwell Papers; Privy Council Memoranda, 1707-13.  
 Add. MS 40621. Thomas Harley papers.  
 Add. MS 40836. Papers of Edward Vernon.  
 Add. MS 41178. Letters of Marlborough and Townshend, June 1709-June 1710.  
 Add. MS 41683. Stanhope Letters, 1697-1716.  
 Add. MS 42779. Miscellaneous.  
 Add. MS 45518. Willes Papers (cryptology, ciphers etc.).  
 Add. MS 46856. Townshend Papers; autograph Letters of Horatio Walpole and Thomas Robinson, to Townshend, 1725.  
 Add. MSS 47025-032. Letterbooks of John, Baron Perceval, May 1697-1732.  
 Add. MSS 47076-77. Lord Perceval's Newsletters, 1721-23.  
 Add. MSS 47087-88. Letterbooks of Lord Perceval, 1711-17.  
 Add. MSS 47098-99, 47128. Miscellaneous Perceval papers.  
 Add. MS 48981. Townshend Papers, Oct 1716-Nov. 1727.  
 Add. MSS 57343-44. Lt. Colonel Williamson's Diary.  
 Add. MSS 61103, 61134, 61136, 61144, 61154, 61159, 61181, 61190-91, 61205-A, 61205-B, 61206, 61208, 61231, 61282, 61284, 61287, 61289-90, 61292, 61294-95, 61298-99, 61304, 61307, 61312-15, 61319-20, 61336, 61339, 61391-93. Blenheim Papers: correspondence, military papers, commissions, petitions, etc., of John Churchill, Duke of Marlborough, 1702-24.  
 Add. MSS 61475-76. Blenheim Papers. General correspondence of Sarah, Duchess of Marlborough, 1710-27.  
 Add. MSS 61492, 61495-96, 61552, 61560, 61572, 61610, 61152, 61632, 61651-52, 61655. Blenheim Papers. Correspondence and papers of Charles, 3rd Earl Sunderland.  
 Add. MS 61684. Blenheim Papers. Correspondence and Papers of Thomas, 1st Lord Trevor.  
 Add. MS 61830. Correspondence of Orrery and Henry Paget, 1st Earl of Uxbridge 1723-25.  
 Add. MS 62558. Journal of Mary Caesar, 1729-40.  
 Add. MS 64060. Ballads and songs (Thomas Southerne).  
 Add. MSS 69937-38, 69945 69950-52, 69961. Correspondence of Thomas Coke, Vice Chamberlain, 1697-1727.  
 Add. MSS 70026-28, 70033, 70043, 70045, 70145-46, 70167-69, 70171, 70175, 70184-85, 70203, 70250, 70281, 70283, 70290, 70331-32, 70345, 70383, 70413, 70476. Portland Papers: Robert Harley, Earl of Oxford and Mortimer.  
 Add. MSS 70943-44. Correspondence, military papers, and Orders of Battle, 1707-56, of John, Duke of Marlborough, 1710-56.  
 Althorp MSS B-8, C-17, E-14. Correspondence and papers of Richard, 3rd Earl of Burlington, 1721-56.  
 Egerton MS 917. Irish History Manuscripts, 1623-1728.  
 Egerton MS 929. Miscellaneous letters, 1697-1714.  
 Egerton MS 1631. Military commissions granted in Ireland by the Duke of Ormonde, 1705-07.  
 Egerton MS 1858. Letters addressed to Johan Van Den Bergh of Leyden, 1695-1763.  
 Egerton MS 2175. Corr. of George Bubb Dodington. Envoy in Spain July 1717 Apr. 1718;  
 Egerton MS 2543. Parliamentary lists.  
 Egerton MS 3124. Townshend Papers, 1714-1730.  
 Harleian MSS 7190, 7556. Parliamentary lists.  
 Lansdowne MS 773. Davenant Papers, 1703-07.  
 Microfilm M662. Letters of William Byrd to Sir Robert Southwell & others, 1701-04.  
 Microfilm RP 2616/27-28. Will of Christopher Codrington.  
 Stowe MSS 226-29. Hanoverian State Papers, 1714-16.  
 Stowe MSS 241-42. Letters of Bolingbroke, John Drummond, and others.  
 Stowe MS 248. Miscellaneous political papers, 1707-19.  
 Stowe MS 354. Parliamentary papers and speeches.  
 Stowe MSS 748, 750. Miscellaneous.

Cambridge University Library, Cambridge.

Add. MS 5952. Letters of Richard Bentley.  
Add. MS 6570. Letterbook of John, Duke of Argyll, April 1711-Jan. 1712.  
Add. MS 6574. Manuscripts concerned with the Treaty of Utrecht.

Cholmondley (Houghton) MSS: Papers of Sir Robert Walpole, Earl of Orford, 1707-32.  
Correspondence, Nos. 622, 641, 642, 761, 811, 901, 931-32, 955, 952, 964,  
972, 976-96, 1006-10, 1023-24, 1034-35, 1037-39, 1041-44, 1053, 1057, 1087-  
92, 1101-03, 1153-58, 1164, 1193, 1199, 1211, 1215, 1218, 1246, 1249-51,  
1263-66, 1273-78, 1280, 1281, 1292, 1318-19, 1337-41, 1346, 1370-73.

Miscellaneous Political Papers. P 7/3, P 53/49, P 62/12, 71.  
P 69/2, File B. 'Papers Relating to Christopher Layer.'  
P 72/17-20, P 80/21, P 64/17, P 91/159/2.

Christ Church College Library, Oxford University.

Correspondence of William Wake, 1714-23.  
Wake MS IX. Miscellaneous Letters.  
Wake MSS XVIII-XXII, Miscellaneous Letters.  
Wake MS XXIX. Miscellaneous Letters from Flanders, Holland, and France,  
1719-21.

Churchill College Archives, Cambridge University.

Correspondence, papers, and transcripts of General Thomas Erle, 1688-1716.  
Correspondence 2/2, 2/6, 2/7, 2/8, 2/12, 2/13, 2/14, 2/34, 2/40, 2/43, 2/50,  
2/59, 2/65, 3/2, 3/14, 4/13, 4/18, 4/21.

Hoare's Bank, 37 Fleet Street, London.

Ledger Books B, C, T, 3, 6, 8, 12, 15, 19, 22-27, 29-31, 46, L/3, L/261, M/L 1718-43.

Houghton Library, Harvard University, Cambridge, Massachusetts.

The Orrery Papers.

MS Eng. 218.1, i-ii. Diplomatic correspondence of Charles, 4th Earl of  
Orrery, 1711-13.  
MS Eng. 218.2, i-vii. Assorted correspondence of Orrery and the Boyle  
family, 1698-1753.  
MS Eng. 218.3, i-ii. Selected printed correspondence of the 4th and 5th  
Earls of Orrery, 1698-1753.  
MS Eng. 218.4, i-viii. Business letters and estate records of the 4th and  
5th Earls of Orrery, 1714-57.  
MS Eng. 218.5. Letters of the 5th Earl of Orrery from Ireland, 1753-54.  
MS Eng. 218.6. Essay on Cicero's *Orations* by the 4th Earl of Orrery, 1729.  
MS Eng. 218.12. Commonplace book of the 5th Earl of Cork and Orrery.  
MS Eng. 218.13F. The 4th Earl of Orrery's personal copy of the 1st Earl of  
Orrery's play, *Herod the Great*; literary anecdotes, 1729.  
MS Eng. 218.24F. Lease book of Lionel, 3rd Earl of Orrery, 1692-94.  
MS Eng. 218.25F. Letters and business documents of the 4th Earl of Orrery.  
MS Eng. 218.27. 45 letters (copies), Marlborough to Orrery, 1703-14.  
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